

A HISTORY OF THE DREYFUS CASE.

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From the Arrest of Captain Dreyfus in October, 1894,
up to the Flight of Esterhazy in September, 1898.

BY
GEORGE BARLOW

Author of "The Pageant of Life," "The Crucifixion of Man,"
"The Daughters of Minerva," etc.

*Il n'y a qu'une classification vraie, éternellement vraie, que
l'affaire Dreyfus a rétablie : d'un côté la race esclave, qui
ne peut exister que sous le joug et sous le fouet ; de l'autre
côté, les hommes libres, qui veulent vivre et mourir debout.*

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PREFACE.

IT is possible, through love of France and concern for the "honour" of the French army, to write a book criticising sharply that section of French opinion which has been misled by a gang of insincere and unscrupulous journalists, and pitilessly exposing the group of officers who, having behaved infamously in the matter of Captain Dreyfus, have sought to save themselves from detection and richly deserved punishment, by a succession of untruths, by a succession of violations of the law, by a succession of forgeries, by falsely identifying themselves with the national army, and by affecting a solidarity with the thousands of upright French officers who,

though compelled for the most part to remain silent, regard the proceedings of the General Staff with honest anger and disgust.

If I have spoken severely of the France of Boisdeffre and of Billot, of Drumont and of Rochefort, of Méline and of Félix Faure, it is from love of the France of Voltaire and of Renan, of Molière and of Racine, of Gambetta and of Victor Hugo, and, let me hasten to add, of Clemenceau, of Zola, of Yves Guyot, of Scheurer-Kestner, of Urbain Gohier, of Trarieux, of Labori, of Picquart, and the remainder* of heroic Frenchmen who have for long months been fighting against overwhelming odds in a cause which we in England have hitherto, perhaps somewhat egotistically, claimed as peculiarly our own; the cause of liberty, fair play, truth, humanity, justice.

* Mentioned, most of them, I trust, in the course of my work.

I should like to add this one further word, and I speak it with the most heartfelt earnestness. If France has lately seemed perversely determined to prove to all surrounding nations that she can foster and produce the infinitely little, it is well to remind ourselves that she has over and over again proved that she can also foster and produce the infinitely great. The France that to-day lies through Cavaignac, quibbles through Brunetière, and preaches religious massacre through Père Didon and Père Dulac, is, none the less, the France that thundered through the Revolution, and, to use Danton's magnificent expression, for freedom's sake, when the kings and old maddened tyrannies of the world surrounded and menaced her, "flung in their faces the head of a king."

A HISTORY OF THE DREYFUS CASE.

I.

HOW THE MATTER BEGAN.

IN September, 1894, according to the official accounts, but more probably at a somewhat earlier date in that year, the document which was first called a *lettre-missive* and afterwards became famous as the *bordereau*, fell into the hands of the authorities at the French War Office. I shall give the full text of this document later on. It is sufficient, for the moment, to say that it is a schedule or list of "notes" on certain military subjects. These "notes" were despatched by some French officer, or French agent, to Colonel Schwartzkoppen the military attaché at the German Embassy, and safely received by him. But the *bordereau* was intercepted on its road.

When the General Staff at the War Office had obtained possession of the *bordereau*, a preliminary inquiry was opened by comparing its handwriting

with that of the officers employed in the War Office *bureaux*. This first inquiry yielded no definite result.

Commandant du Paty de Clam, *l'homme néfaste* as he was subsequently designated by M. Zola, was then appealed to. He was supposed to have some skill in the matter of handwriting. What manner of man he really was, intellectually and morally, will be evident hereafter.

For two days Commandant du Paty de Clam studied, or pretended to study, the document. He then affirmed that the writing resembled that of Captain Dreyfus, an officer of the 14th regiment of Artillery. Captain Dreyfus, as all the world knows, has the misfortune to be a Jew. At the time in question, he was attached to the War Office in the capacity of a *stagiaire*. That is to say, he was passing by stages through the six *bureaux* at the War Office, in order to complete his military education.

Commandant du Paty de Clam's statement that the writing of the *bordereau* resembled that of Captain Dreyfus, was made on October 7th. On October 9th, M. Gobert, expert of the Bank of France and of the Court of Appeal, was called in and consulted. He is a man of capacity and experience, and his opinion has considerable value.

He was not allowed much time for the examination of the document, the matter being represented to him as extremely urgent. On the morning of October 13th he sent in negative conclusions, reporting as follows in a letter to General Mercier, the Minister of War :—

“ Etant donnée la-rapidity de mes examens, commandée par une extrême urgence, je crois devoir dire: *la lettre-missive incriminée pourrait être d'une personne autre que la personne soupçonnée.*”*

Judging by what happened immediately afterwards, these negative conclusions of M. Gobert's must, I fear, have been extremely disappointing to the authorities. M. Gobert's letter, as I have said, was sent to the Minister of War on the morning of October 13th, and on the afternoon of that very day, which was a Saturday, Captain Dreyfus received a note from Commandant du Paty de Clam, inviting him to call at the War Office, in civil dress, at mid-day on Monday, October 15th. The instant result of a distinguished expert's explicit opinion that the *bordereau* might quite well have been written by some person other than Captain Dreyfus, was that General Mercier determined to proceed with all possible speed against this unfortunate officer.

On Friday, October 12th, another expert, M. Bertillon, had received specimens of handwriting, and a photograph of the *bordereau*. It is not too much to say that, thanks to the searching cross-examination of this gentleman by Maître Labori at M. Zola's trial, all the world now thoroughly understands his complete imbecility. But, in the year 1894, M. Bertillon was supposed to be a competent, though somewhat flighty expert.†

On Saturday, October 13th, the pieces returned

*At the trial of M. Zola in February, 1898, M. Gobert was called as a witness and gave evidence to the same effect.

†It is well, however, to remember that M. Bertillon was not a scientific man, or a critic. He was simply the chief of the anthropometric service at the Prefecture of Police.

that morning by M. Gobert were handed on to M. Bertillon, who sent in his report that same evening.

He formulated his conclusions as follows:—

“ Si l'on écarte l'hypothèse d'un document forgé avec le plus grand soin, il appert manifestement que c'est la même personne qui a écrit la lettre et les pièces communiquées.”

I shall return presently to the consideration of M. Bertillon and his report.

On Sunday, October 14th, Commandant du Paty de Clam was ordered by General Mercier to proceed as officer of judiciary police, with the *instruction* of the affair, and with the arrest of Captain Dreyfus.

II.

THE LOGIC OF COMMANDANT DU PATY DE CLAM.

“ J'accuse le lieutenant-colonel du Paty de Clam d'avoir été l'ouvrier diabolique de l'erreur judiciaire, en inconscient, je veux le croire, et d'avoir ensuite défendu son œuvre néfaste, depuis trois ans, par les machinations les plus saugrenues et les plus coupables.”

So wrote M. Zola, in his famous letter of accusation, published in the *Aurore*, of January 13th, 1898. Let us now see how Colonel, formerly Commandant, du Paty de Clam actually did behave in the months of October and November, 1894.

On Monday, October 15th, Captain Dreyfus, in mufti, arrived at the War Office at the appointed hour. He was taken to General de Boisdeffre's study, where he found Commandant du Paty de Clam, M. Cochefert, *chef de la sûreté*, and Commandant Henry, *attaché à la section de statistique*, awaiting him. This was in itself somewhat startling, as Captain Dreyfus had been summoned to the War Office on the pretext of what is called in France *l'inspection générale*, and the custom was that General de Boisdeffre, when he received officers for inspection, should receive them without witnesses. But on this occasion there were three witnesses,*—some accounts say four—and no superior officer of the staff appeared. Moreover, the room had been carefully fitted up with mirrors,† so that the witnesses might be able to follow the play of the accused man's features. This was all highly irregular and surprising, and anyone suddenly ushered into such surroundings might be excused for feeling somewhat nervous.

Then followed the famous scene of the dictation. Commandant du Paty de Clam requested Captain Dreyfus to write a letter, and dictated to him a note in which the various documents figuring in the *bordereau* were enumerated. Suddenly the Commandant stopped Dreyfus, saying: "Your hand trembles," and of the tone in which this would be said, those who saw and heard Commandant du Paty de Clam at Zola's trial, can judge. "My fingers are cold," the captain answered. "Be careful, the matter

*One of whom, M. Cochefert, belonged to the police.

†This matter of the mirrors is mentioned by Commandant du Paty de Clam himself, in his Report.

is serious," the Commandant went on, and then almost immediately, seizing the arm of Captain Dreyfus, he exclaimed: "In the name of the law, I arrest you; you are accused of the crime of high treason."

So runs the account of the scene, but the absolutely important point to remember is that the prosecution alleged that the real, or fancied, nervousness of Captain Dreyfus, was the decisive cause of his arrest. This is manifestly untrue. The warrant for the arrest, as a matter of fact, was signed on the previous day, the 14th; and it was on the evening of the 14th that Commandant Forzinetti the Governor of the *Cherche-Midi* prison, received a secret despatch from General Mercier informing him that a superior officer of the army would call at the prison at 7 o'clock the next morning, and would be the bearer of a confidential communication. This officer was Lieutenant-Colonel d'Aboville, who presented himself at the *Cherche-Midi* prison on the morning of Monday, the 15th, and handed a paper of written instructions (dated the 14th) to Commandant Forzinetti. These instructions were to the effect that a cell was at once to be prepared for Captain Dreyfus, who, it was stated, was accused of high treason, and would arrive at the prison on the following morning. These dates are all indisputable. I have carefully verified them all from Commandant Forzinetti's own report, and they prove that it was not the alleged trembling of Captain Dreyfus' hand which decided General Mercier to arrest that officer secretly, and to place him in the most rigorous solitary confinement. I say advisedly "arrest secretly"; for Commandant

Forzinetti states that even General Saussier, the Military Governor of Paris, was kept in entire ignorance of the arrest. The dates prove that the arrest and imprisonment were decided upon before Captain Dreyfus had been even interrogated. From first to last, in this extraordinary matter, events move with military precision. Everything is done, not according to evidence, but "by order"; which, in every instance, means by the order of the Minister of War. As Commandant Ravary naively remarked at Zola's trial: "Military justice is different from civil justice."

Let me now pause a moment, and draw attention to the singular logic of Commandant du Paty de Clam. I may observe, at the very outset, that the military logic, throughout the matter, has been precisely of the same character. Whatever the officers of the French army are taught at the present day, they certainly are not taught to reason.

I am anxious, in every case, to give my readers absolutely certain grounds to go upon. I shall therefore quote Commandant du Paty de Clam's own words, as given in the *Eclair*. Remember always that the *Eclair*, from the very beginning, has acted as an absolutely subservient organ of the War Office, and has been consistently and violently hostile to the supporters of Captain Dreyfus.

This, then, is the way that Commandant du Paty de Clam argues:—

"M. Cochefert marcha vers Dreyfus, lui mit la main sur l'épaule :

— Au nom de la loi, je vous arrête.

— Mais pourquoi ? de quoi m'accuse-t-on ? dit le capitaine.

— Vous le savez bien, répondit le commandant du Paty de Clam ; votre émotion en écrivant la lettre que je vous dictais tout à l'heure *en est une preuve suffisante.*

— Je vous affirme que je ne comprends pas, reprit Dreyfus bouleversé.

— Allons donc ! *Il est inutile de vous débattre devant l'évidence. Votre trahison est découverte.*"

I invite particular attention to the words I have italicised, for they really present the whole case in a nut-shell. An accused person is suddenly placed in an alarming position, is ordered to write, and his hand trembles, or appears to. That is absolutely sufficient evidence to the mind of Commandant du Paty de Clam ; he has himself told us so. "That is a sufficient proof," he says. "It is useless to struggle against the evidence. Your treason is discovered."

So much for the logic of the officer selected by General Mercier to carry on the preliminary inquiry into a matter affecting the very existence of a French citizen.

Let us now accompany the Commandant a little further, and observe what one may call his moral, as opposed to his logical method.

As soon as Captain Dreyfus had been conveyed from the War Office to the *Cherche-Midi* prison, Commandant du Paty de Clam and M. Cochefert the police officer appeared without warning at the prisoner's house, where a most rigorous search took place. Nothing whatever of a compromising character was found, as Commandant du Paty himself admitted. But we now understand this officer's method of

reasoning, and we are therefore not surprised to learn that he inferred Dreyfus' guilt from the fact that no token of guilt was found. "A traitor would be careful to remove all indications of guilt. There are no indications of guilt in this man's house. Therefore this man is certainly a traitor." There is no possible getting out of it; that is clearly the method in which Commandant du Paty de Clam reasoned. One is not surprised that, after the conviction of Dreyfus, he gained his step, and was promoted to the rank of Lieutenant-Colonel. A man possessed of such distinguished reasoning power is most useful to his superiors; especially when they themselves reason in precisely the same manner. That they do so reason, we find abundant evidence later on in the story. Let me for the moment only mention General Gonse's famous circular argument at M. Zola's trial. Maître Labori asked the General whether the matters referred to in the *bordereau* were important. "Certainly they are," General Gonse replied. "Why do you consider them important?" Maître Labori went on to ask. "*Because, if they had not been important, the traitor would not have alluded to them,*" the General answered.

Well then, nothing whatever was found at Dreyfus' house; not the most trivial indication of guilt; nothing that even the imagination of Commandant du Paty could play upon—except, as I have said, the highly suspicious absence of all indications. It still remained, however, to question Madame Dreyfus and her husband separately, and to see whether by a prolonged process of moral torture anything like an avowal of guilt could be wrung out of either of them.

To this task, accordingly, the Commandant set himself for the next seventeen days, with singular determination, but with absolute want of success. Even the careful perusal of Captain Dreyfus' letters written to Madame Dreyfus at the period of their betrothal, which had been taken from her, led to nothing.

Threats, which were certainly abundantly employed, were not more successful. Madame Dreyfus was naturally anxious to inform Captain Dreyfus' brothers of the state of affairs, but was told that a single word spoken by her to any person whatever would assuredly lead to the death of her husband. The Commandant reminded her of the story of the man in the iron mask ; he refused to tell her of what her husband was accused, or in what prison he was confined. He would not allow her to transmit news of her health, and that of their children (one of whom was ill at the time), to her husband. He told Madame Dreyfus that the case was absolutely proved, and that her husband might very possibly incur the penalty of death. When Madame Dreyfus asked upon what the proofs rested, the Commandant replied : " Upon my firm opinion " (*sur mon intime conviction*).

The Commandant, speaking of her husband, said to Madame Dreyfus : " Il nie, mais j'arriverai bien à lui faire cracher tout ce qu'il a dans le corps."

To all this, and much more, Madame Dreyfus is ready to testify on oath, producing also witnesses to corroborate her testimony. She appeared in Court at the time of M. Zola's trial, and offered her evidence. After a long and wearisome delay, the judge, who

acted throughout the case under direct instructions from the War Office, refused to hear her ; though her evidence would have borne distinctly on the question of the good faith of M. Zola, and on the question of the illegality of the trial of Captain Dreyfus, which "illegality" was explicitly referred to in the portion of M. Zola's letter cited by the prosecution.

The Generals, in fact, were afraid of Madame Dreyfus. They can swagger in Court, and in the official newspapers, about their "honour," and can strike an enemy behind closed doors. But they cannot face, in the daylight of open court, a woman who is prepared to be placed upon oath, and to tell the whole truth.

While Commandant du Paty de Clam was threatening and attempting to extort admissions from Madame Dreyfus at her home, he was pursuing precisely the same course with her husband at the *Cherche-Midi* prison. Here, again, it is no question of mere reports or of hearsay. The whole matter has passed into established history through the published report of an officer, Commandant Forzinetti himself, the Governor of the prison. Forzinetti absolutely believed in the innocence of Dreyfus, and endeavoured to obtain a hearing from his superiors, and to set the result of his observations before them. But, as he tells us, his endeavours were in vain. For some reason, it was from the very beginning an absolutely fixed thing at the War Office that, no matter how, Captain Dreyfus was to be condemned.

Commandant Forzinetti gives us a clear account,

very painful to read, of what took place at the *Cherche-Midi* prison, during the seventeen days devoted by Commandant du Paty de Clam to preparing his *instruction*. The prisoner, we are told by the former officer, was beside himself with anguish ; it was terrible to see him ; he was almost entirely unable to sleep ; his mental suffering was most excruciating. It is precisely from prisoners in such a condition, produced by prolonged sleeplessness and brain-torture, that useful avowals of their guilt, often as history bears witness quite baseless, can by ingenious pressure and suggestive questioning be wrung. That Dreyfus was exposed to the most persistent pressure, and the most insidious questioning, with the view of extorting from him some avowals, or apparent avowals, which might afterwards be used against him, and which might save his tormentors the trouble of producing any further evidence, there can be no manner of doubt. The evidence of Commandant Forzinetti is perfectly conclusive upon the point.

But even this was not enough. Commandant du Paty de Clam has a romantic side to his character. He is, I should imagine, an assiduous student of the works of Gaboriau and du Boisgobey. He is an imitator of Monsieur Lecoq, the immortal detective. He was exceedingly anxious to flash the light of a dark lantern suddenly on the face of the prisoner while asleep, in order, if possible, to surprise in his features some token of guilt. This was of the same order of ideas as the mirror scene. Also, Commandant du Paty had a singular theory of his own, not, I think, borrowed from Lecoq, but entirely original.

He believed that, if a guilty man crossed his feet during sleep, and if a careful observer were to lift the bed-covering without waking the guilty man, the guilty man's feet would probably be found to be affected by a slight quivering movement. He was extremely anxious to make trial of this and other experiments.

Commandant Forzinetti wrote :—

“ Du 18 au 24 octobre, le commandant du Paty de Clam, qui avait procédé à l'arrestation de Dreyfus au ministère de la guerre, vint, muni d'une autorisation particulière du ministre de la guerre, pour l'interroger. Avant de voir Dreyfus, il me demanda s'il ne pouvait pas pénétrer sans bruit dans sa cellule, porteur d'une lampe assez puissante pour pouvoir projeter un flot de lumière au visage du capitaine qu'il voulait surprendre du façon à le démonter. Je répondis que ce n'était pas possible.”

Such were what I may call “the moral methods” of General Mercier's chosen assistant!

III.

THE LOGIC OF COMMANDANT HENRY, AND THE CAMPAIGN IN THE NEWSPAPERS.

During the seventeen days which were occupied by Commandant du Paty de Clam in the labours I have been describing, this singular *juge d'instruction* had not heard a single witness. However,

when his task was completed, he handed in his report to General Mercier. A fresh inquiry was now started, and the *instruction* was this time placed in the hands of Commandant Besson d'Ormescheville, whose subsequent *acte d'accusation* has played such an important part in the proceedings. Commandant du Paty de Clam was, however, too valuable an agent to be lost sight of. He was never out of the matter from first to last; he worked constantly with Commandant d'Ormescheville, as also with Commandant Brisset, Commissary of the Government.

I shall shortly endeavour to deal with Commandant d'Ormescheville's Report, and with this officer's logic. For the moment, I will only point out that though he heard twenty-three witnesses, and though his inquiries, along with those conducted by the police, lasted two months, he was absolutely unable at the end of the time to prefer any definite charge against Captain Dreyfus. His *acte d'accusation* was subsequently made public. It contains certain vague suggestions as to suspicious inquiries said to have been made by Captain Dreyfus in *bureaux* of the War Office other than his own, with a view to possessing himself of information, which—it was inferred—he intended to make improper use of. But all is shadowy and indefinite. The best proof of the utter absence of proof is the answer made by Commandant Henry to Captain Dreyfus himself, when the latter challenged him to name and bring forward the officer who, as Commandant Henry alleged, was able to produce positive evidence as to the existence of a traitor at the War Office.

"Quant au colonel *Henry, son attitude fut encore plus singulière.

"Comme il affirmait avec assurance,—ce qu'il savait depuis longtemps,—qu'il y avait un traître au deuxième bureau et qu'il n'y avait plus qu' 'à retrouver le fil,' et que, ce fil, il l'avait découvert grâce à des indications qu'il ne pouvait préciser, tout le monde sursauta d'étonnement.

"Un juge prit même la parole pour l'inviter à être plus précis et à indiquer comment il avait eu ces renseignements.

"Le lieutenant-colonel Henry répondit qu'il ne pouvait en dire plus, qu'il les tenait *'d'une personne dont il était aussi sûr que de lui-même.'*

"A ce moment, Dreyfus, qui, devant ces étranges révélations, avait déjà manifesté une vive surexcitation, bondit de sa place et, interpellant le témoin, lui cria : 'Mais qui est cette personne? Qu'on l'amène ici! Qu'on l'entende, qu'on la voie! Personne ne saura son nom : nous sommes dans le huis clos le plus absolu. Rien ne peut empêcher de la faire venir...'

"Devant ces objurgations pressantes, auxquelles nous joignîmes les nôtres, l'officier continua à se buter et, finalement, se tournant vers Dreyfus, prononça théâtralement ces mots : *'Monsieur, je suis officier ; le képi d'un soldat doit ignorer ce qu'il y a dans sa tête.'*"†

I should like the reader to remember this characteristic answer of Colonel Henry's, and to lay it to heart. It explains much. It gives us, even thus early in the affair, a clear insight into the character of the man who subsequently used his very best efforts to foil Colonel Picquart's endeavours to bring

* Commandant Henry became quite as valuable to the War Office as Commandant du Paty de Clam, and also obtained his promotion.

† From declarations of Dreyfus' advocate, Maître Demange, made to two students, partisans of the revision of the Dreyfus *procès*, and reproduced by the *Journal des Débats* of February 8th, 1898.

the truth to light, and who, in conjunction with Commandant Lauth, was put up by the generals to give the lie to Colonel Picquart at Zola's trial, and, as far as possible, to weaken the effect of the terribly damning evidence adduced by that officer. Colonel Henry and Colonel dū Paty de Clam were among the very foremost of those who have so patiently and skilfully assisted their superiors in weaving, from month to month, and from year to year, the legend of the guilt of Dreyfus.

Commandant d'Ormescheville's Report also contained suggestions to the effect that Dreyfus had lived a dissipated life previous to his marriage, that he was in need of money, that he was addicted to gambling, and that he was in the habit of making suspicious trips abroad. None of these points were, however, substantiated, and the government commissary, M. Brissett, was compelled to admit the regularity and probity of the life of Captain Dreyfus.

It will be remembered that the same *éléments moraux*, as the French call them, figured, and with very much more cause, in the later accusation against Commandant Esterhazy. But, for reasons which became apparent later on, it was absolutely necessary that this officer should be acquitted, and Commandant Ravary merely stated in his Report that Esterhazy was "certainly not a model for young officers." Esterhazy's alleged efforts to obtain information from brother officers on subjects such as those mentioned in the *bordereau*, his supposed relations with suspicious strangers, etc., were ignored entirely. The scales should have been held equally,

and the considerably weaker evidence of the same kind should also have been ignored in the case of Captain Dreyfus, the Jew. It was, however, though practically abandoned at the Court Martial, extensively circulated to his prejudice in the journals inspired by the Government.

Indeed, the almost unexampled violence and injustice of the campaign waged from first to last against Captain Dreyfus in the accredited Government organs, is one of the most marked, and most painful features of the story. Nothing was too absurd to print: no falsehood was too shameless to set in circulation. It was stated that Captain Dreyfus had been a traitor ever since his first entry into the army; that he had practised his treachery at Fontainebleau, at Mans, in Paris, at the School of War, and finally at the War Office, where, it was alleged, he had obtained employment with the express purpose of acquiring information suitable to sell to the enemy.

It was stated, in the same breath, that he was overwhelmed with debts; that he had made millions; that the reconstruction of the military plans which he had sold to other countries would cost France millions; that 400,000 francs in gold had been found at his house; that he had extensive property at Bordeaux and at Bourges; that he had been absolutely proved to have had relations with both German and Italian spies; that he had broken open an iron safe at the War Office, and stolen invaluable documents therefrom; that he had carried on his nefarious work all over the world, at Monaco, at Nice, in London, at Brussels, at Rome, at Berlin,

at St. Petersburg, in the towns on the frontier.* He was stated to have numerous accomplices, and one in particular was said by the *Eclair* to have been shadowed by a French police agent, and to have been seen to enter the War Office at Rome.

Not a particle of all this, of course, has ever been substantiated.

Let me now, for the sake of absolute accuracy and precision, quote actual words, and point out exactly how and when the campaign waged in the newspapers against a French officer by his generals, or permitted by his generals to be waged against this officer, commenced. Throughout the matter it is obviously impossible to exonerate the chiefs. We have noted the method pursued, and the amount of reasoning power possessed by Commandant du Paty de Clam, and Commandant Henry. General Mercier must have been perfectly aware of the mental structure of the men he was employing to collect (might not one more justly say fabricate?) evidence.

I come to the first appearance of the War Office in the newspapers. On October 29th, 1894, the first news of the arrest of Captain Dreyfus transpired, but somewhat vaguely, in the *Libre Parole*. The two following days, October 30th and 31st, more precise references to the matter appeared in the *Eclair*. Then, on the first of November, we find a very remarkable article in the *Libre Parole*. These

* See M. Bernard-Lazare's *brochure* on the Dreyfus affair, pp. 44, 45.— See also the opening of Maître Labori's speech for the defence at Zola's trial.

two papers, the *Eclair* and the *Libre Parole*, have from first to last distinguished themselves by the violence of their attacks upon Dreyfus and the Dreyfus party, and have from first to last been in possession of information which could only have been obtained through the most direct relations with the War Office. But settle the point now, once for all, at the very beginning.

On November 1st, 1894, the *Libre Parole* says :

“ Est-il vrai que, récemment, une arrestation fort importante ait été opérée par l'ordre de l'autorité militaire? L'individu arrêté serait accusé d'espionnage. Si la nouvelle est vraie, pourquoi l'autorité militaire garde-t-elle un silence si absolu? Une réponse s'impose. ... Dès le dimanche [that is, from Sunday, October 28th] nous étions avisés au journal de cette arrestation.”

Now, who informed the *Libre Parole* on Sunday, October 28th, of the arrest of Captain Dreyfus? The Dreyfus family, at that stage of the story, knew nothing, for, as we have seen, Madame Dreyfus had been deterred from speaking by the most violent menaces on the part of Commandant du Paty de Clam. Moreover, if she had spoken, the *Libre Parole* is the last paper in the world, as Maître Labori pointed out, to which she would have taken her confidences.

We cannot, therefore, accept General Mercier's audacious attempt at Zola's trial, to thrust the responsibility of these early communications made to the papers upon the Dreyfus family. Besides, General Mercier distinctly admitted that he made no inquiry into the matter. From first to last the War Office has rigidly abstained from the slightest real inquiry

into matters as to which inquiry would have been easy and fruitful in important results. Depend upon it, the editors and staff of the *Libre Parole* and the *Eclair* would have been only too glad to assist General Mercier, by fixing the responsibility for the secret information they received upon the family or friends of Dreyfus, had it been in their power to produce the slightest proof of this. No such proof has ever been forthcoming.

Therefore, from the very first moment, we have a relation clearly established between these journals and the War Office. We shall see, later on, how important that relation became.

Now listen to the way in which the newspapers to which General Mercier was not ashamed to insinuate that Madame Dreyfus took her troubles, expressed themselves in regard to the accused man.

On November 1st, the *Libre Parole* said :—

“Dès le dimanche, nous étions avisés au journal de cette arrestation ; mais, étant donnés la gravité des accusations, le nom et la qualité du coupable, nous voulions, et on comprendra notre réserve, attendre le résultat de l’instruction.”

Who told the *Libre Parole* the result of the *instruction*? Commandant du Paty de Clam had handed in his report secretly to General Mercier on October 30th, and the *Libre Parole*—and, as we shall see, the *Eclair*—now speak authoritatively, on November 1st, of the result of that *instruction*.

“Aujourd’hui nous n’avons plus les mêmes raisons. Voici, en effet, ce que disait à ce sujet notre confrère l’*Eclair* à la suite de la question que nous avons posée : ‘Plusieurs journaux ont publié une note de quelques lignes pour demander s’il avait été procédé à une importante

arrestation pour crime de haute trahison. L'arrestation a été tenue secrète, les faits sont malheureusement exacts et beaucoup plus graves que la question ne le laissait croire. Un officier, non pas toutefois un officier supérieur, est en ce moment en prison au Cherche-Midi ; *il a commis le crime le plus abominable qu'un officier puisse commettre ; il a, par vénalité trahi sa patrie.*

...L'enquête menée secrètement est terminée, le dossier établi, *la preuve faite matériellement'.*"

Let me put the matter quite plainly. A fortnight after a man's arrest, *and seven weeks before he is tried,** two journals, who afterwards act for years in glaring complicity with the War Office, assert (1.) that the accused man has committed the most abominable crime that an officer can possibly commit ; (2.) that he has sold his country for money ; (3.) that the secret inquiry is finished, the evidence collected, the proof of guilt actually obtained.

Seven weeks after this was written, we find the judges at the Court Martial still so doubtful as to whether any material proof really existed against Captain Dreyfus, that General Mercier was compelled to stimulate their flagging energy by the communication to them of the famous secret document.

Is General Mercier still prepared to maintain, in the face of history, that the articles which contain the above statements were inspired by the accused man's friends, or the accused man's wife ?

*Captain Dreyfus appeared before the Court Martial on December 19th.

IV.

THE DOCUMENT THAT WRECKED A FRENCH
CITIZEN.

I THINK it is expedient, at this point in the inquiry, to say a few words as to the *bordereau*, though by this time most of the facts relating to it are well known. It was, as I said in Section I., a list or schedule of certain "notes"; it was neither signed nor dated; its envelope, if it ever had one, has never been forthcoming; it was written on both sides of a slip of tissue paper, or, more exactly, of a certain special paper used for photographic purposes. When brought to the War Office, it was torn: some accounts say into sixteen pieces, some say into only four pieces.

Its contents are now admitted to have been exactly as follows:—

TEXT OF THE BORDEREAU.

"Sans nouvelles m'indiquant que vous désirez me voir, je vous adresse cependant, Monsieur, quelques renseignements intéressants.

"1° Une note sur le frein hydraulique de 120 et la manière dont s'est conduite cette pièce;

"2° Une note sur les troupes de couverture (quelques modifications seront apportées par le nouveau plan);

"3° Une note sur une modification aux formations de l'artillerie;

"4° Une note relative à Madagascar;

"5° Le projet de manuel de tir de l'artillerie de campagne (14 mars, 1894).

"Ce dernier document est extrêmement difficile à se procurer, et je ne puis l'avoir à ma disposition que très

peu de jours. Le ministre de la guerre en a envoyé un nombre fixe dans les corps et ces corps en sont responsables; chaque officier détenteur doit remettre le sien après les manoeuvres. Si donc vous voulez y prendre ce qui vous intéresse et le tenir à ma disposition après, je le prendrai. A moins que vous ne vouliez que je la fasse copier *in extenso* et ne vous en adresse la copie.

“ Je vais partir en manoeuvres.”

An enormous amount of discussion has been piled up on the subject of this unhappy slip of paper, which sentenced a French officer and gentleman to perpetual degradation and exile. General Gonse and General de Pellieux made determined efforts, at the time of Zola's first trial, to prove that it could only have been written by an officer belonging to the artillery, but their arguments were only too plainly dictated by the desire to exculpate Commandant Esterhazy, and to maintain the condemnation of Captain Dreyfus, at any cost. They themselves professed absolute ignorance as to the working of the 120 gun, and indeed as to all matters relating to artillery practice. In their ignorance I can readily believe: the Generals of the Second Empire were equally ignorant. But it does not follow that all the officers of the French army not actually belonging to an artillery *corps* are as ignorant as General Gonse and General de Pellieux professed themselves to be. Moreover, subsequent events have indicated, with almost absolute certainty, one of the officers of the *Etat-Major* from whom the real writer of the *bordereau* obtained his information.

Later criticism has also shown conclusively that there are technical errors in the *bordereau* which no officer of artillery, especially no able and instructed

officer such as Captain Dreyfus, would ever have committed. They are, on the other hand, precisely the mistakes which one would naturally expect in the case of an *officier de troupe* writing on artillery subjects.*

And the exact expression with which the *bordereau* concludes—*je vais partir EN manoeuvres*—has been found in an admitted letter of Commandant Esterhazy's, written at the precise date when the *bordereau* was composed. The expression is a singular one. Captain Dreyfus would certainly have written, in more correct French : *je vais partir AUX manoeuvres*.

Even taking the question of the *bordereau* alone, it can be proved that there has been no real or legal trial of Dreyfus. It is evident that everything depends upon the origin of the paper. It was, in itself, as I have just been pointing out, merely a schedule of certain documents said to have been sent to a foreign attaché. But where did the *bordereau* come from? Where was it found? How did it get into the hands of General Gonse? What are the links, apart from the very debatable question of handwriting, and the still more debatable question of how much an officer of a line regiment might pick up relative to artillery secrets, which made General Gonse and General Mercier connect this *bordereau* or schedule with a certain officer of artillery?

It is clear that upon the answers to those four questions the validity of the whole indictment, as against any particular person, depends. Yet it is just these four questions which General Mercier, at

*See the *Séiècle* for August 16th, 1898, and for September 13th, 1898.

the time of the trial of Dreyfus, intentionally left unanswered. And when I say unanswered, I do not mean merely that he neglected to take the public into his confidence on these points. He might have had sound reasons for not doing this. I mean much more: I mean that General Mercier deliberately neglected to supply even the judges at the Court Martial—a Court Martial sitting, mind you, with closed doors—with answers to these questions. This is hardly realised yet, but it is absolutely true. Refer to the Report made by Commandant d'Ormescheville to the Court Martial in 1894. You will find the following passage:—

“La base de l'accusation portée contre le capitaine Dreyfus est une lettre-missive écrite sur du papier pelure, non signée et datée, qui se trouve au dossier, établissant que des documents militaires confidentiels ont été livrés à un agent d'une puissance étrangère. M. le général Gonse, sous-chef d'état-major général de l'armée, entre les mains duquel cette lettre se trouvait, l'a remise par voie de saisie, le 15 octobre dernier, à M. le commandant du Paty de Clam, chef de bataillon d'infanterie hors cadre, délégué le 14 octobre, 1894, par M. le ministre de la guerre, comme officier de police judiciaire, à l'effet de procéder à l'instruction à suivre contre le capitaine Dreyfus. Lors de la saisie de cette lettre-missive, M. le général Gonse a affirmé à M. l'officier de police judiciaire délégué et précité, qu'elle avait été adressée à une puissance étrangère et qu'elle lui était parvenue; *mais que, d'après les ordres formels de M. le ministre de la guerre, il ne pouvait indiquer par quels moyens ce document était tombé en sa possession.*”

This clearly shows that General Gonse, acting under the direct and explicit instructions of General Mercier, purposely neglected to supply the judges

with the very materials by means of which alone it was possible to form a sound judgment as to the authenticity of the *bordereau* he was setting before them as "the base of the accusation." What this may only too probably mean is that General Mercier had not, and knew that he had not, any genuine materials at his disposal. But what it certainly means is that there was in reality no trial at all. There has never been any trial throughout the matter; it is easy to prove that there has not. As I am now insisting, the judges at the first Court Martial, are proved by the actual Report set before them, to have been intentionally kept by General Mercier entirely in the dark as to the very points chiefly at issue. They were instructed to take General Mercier's word as evidence; that is what it comes to. They were soldiers, and they took it. We may excuse them, or seek to excuse them. But I am very certain that history will not excuse General Mercier.

Then again, in the second so-called trial (that of Esterhazy), General de Pellieux deliberately kept all the accusatory evidence as to the handwriting of the *bordereau*—the very point on which the question of Esterhazy's guilt chiefly turned—out of the inquiry.* He admitted having done so. Here again, therefore, there was no real trial. And in the third trial—that of M. Zola—we all know how the Generals came down to the Court when the matter began to go perceptibly against them, owing

*After which impudently unfair proceeding of General de Pellieux's, the military party had the still greater impudence to taunt M. Mathieu Dreyfus, the accuser of Esterhazy, with having produced no evidence!

to the entire breakdown of that singularly imbecile person, M. Bertillon,—we all know how General de Pellieux and General de Boisdeffre hurried down to the Court, clanking their spurs and beautiful in their war paint, faced the jury, and had the audacity to threaten that, if events did not proceed exactly as they wished, they would at once, in company with all their comrades of the General Staff throw up their Commissions ! Each trial, we now clearly see, was a palpable mockery of justice. In each case it was not a question of evidence at all. It was simply in each case a question of military discipline, and the word of command.

The origin of the *bordereau* suggested by the anti-Dreyfus journals, some time after the event, was as follows :—

French agents, it appears, are in the habit of entering into secret relations with the servants employed at the foreign embassies in Paris. They bribe one or more of these servants, and manage to obtain, from time to time, the contents of the waste paper baskets used by the military attachés. A very curious collection of rubbish it must be. However, among the rubbish a treasure is now and then lighted on ; and such treasures are worth money. They are, in fact, hunted for zealously by French subalterns at the War Office. This explains the angry jealousy of Colonel Henry and Commandant Lauth, an angry jealousy which led directly to the first hatching of the plot against Colonel Picquart. For, in the days when Colonel Henry was only Commandant Henry, and Commandant Lauth

merely Captain Lauth, Colonel Sandherr being at the same time the Chief of the Intelligence Department, Commandant Henry and Captain Lauth were entrusted by Colonel Sandherr (who was then suffering from the first attacks of the disease from which he subsequently died—paralysis of the brain), with the whole task of digging for treasure among the *detritus* brought by inferior agents from the waste paper baskets of the various embassies. It does not suggest itself to me as a very agreeable occupation, but it is probably profitable, and it is quite clear that Commandant Henry and Captain Lauth enjoyed it, for they bitterly resented the innovation introduced by Colonel Picquart, who, when he became Chief of the Intelligence Department refused any longer to trust subordinates, and very properly took the management of the whole matter into his own hands. The injured junior officers seem to have resolved to pay him out for this, and they have done so.

This has the appearance of a digression. But it is an important digression, and I will ask the reader to bear it carefully in mind, for reasons which will appear later on.

Well, it was suggested by the *Eclair* that the *bordereau* was originally found in one of the waste paper baskets at the German Embassy.

And now let me, before I go a step further, relate a pretty little incident, an account of which was given in the *Gazette des Tribunaux* in January, 1894.

About a year before the Dreyfus affair, a secret agent of the War Office actually entered into relations with a person employed at the German

Embassy. This man agreed to place all the contents of the waste paper baskets at the Embassy in the hands of a *concierge* in a neighbouring street, who was to act as go-between. At certain stated intervals, the Government agent called for the mass of torn-up and crumpled papers, and then placed the whole heap of rubbish at the disposal of General Mercier's intelligent sorters, Commandant Henry and Captain Lauth.

But the waywardness of a woman upset the delicate arrangement. Her name was Madame Millescamps, and she was the mistress of the secret agent, who, with masculine folly, took the lady into his confidence, and informed her of General Mercier's clever device. The lady, naturally, at once betrayed her lover's confidence, hastened to the German Embassy, and revealed the whole plot. At the Embassy they demanded a proof of the truth of her tale. She brought them, as proof, one of the envelopes used by the *concierge* to contain the papers.

Unfortunately these envelopes were all numbered, which Madame Millescamps had not noticed. The police agent missed the numbered envelope, the lady was followed, detected, arrested; tried with closed doors and condemned as a spy. It was, perhaps, a little hard upon her, but one must remember that in these matters the principals always escape.

This little narrative is in itself sufficient to dispose of the waste paper basket legend. No sensible person will believe that the Germans are fools enough, once having been warned, to drop invaluable documents into their waste paper baskets. As a matter of fact, it is now known that the *bordereau*

was intercepted by a French agent *before* it reached Colonel Schwartzkoppen.

At this point it is worth noticing, that both Commandant du Paty de Clam and M. Bertillon, General Mercier's selected agents, held that Captain Dreyfus was possessed of positively Satanic cunning. Commandant du Paty told Madame Dreyfus that if he were in the place of Commandant Forzinetti, the governor of the prison, his dread of the prisoner's making his escape would be so excessive, that he should make a point of sleeping at the latter's door and watching him even in his sleep.* M. Bertillon believed that "our criminal" or "the traitor," as he called Captain Dreyfus (long before this officer's conviction), had in his head some "plan machiavélique," and looked upon him as "très instruit" and capable of almost any depth of carefully calculated treachery.†

This being the deliberate opinion of two persons in whom General Mercier placed implicit confidence, I should like, speaking simply as a scientific critic, to ask the General whether it ever struck him that a "criminal" possessed of such marked skill and cunning would surely have found some safer way of communicating the contents of the *bordereau* to his friends at the foreign embassy, than in his own undisguised handwriting? ‡

Has General Mercier ever heard of such things as type-writing machines? In a matter of this sort, they are by far the most reliable "accomplices."

* "Son gardien, un officier supérieur, a répondu de lui sur sa tête; si j'étais à sa place, j'aurais tellement peur qu'il ne m'échappe, que je me coucherais au travers de sa porte; j'épieraï son sommeil."

† See M. Bertillon's Report.

‡ M. Bertillon stated in his report that the "traitor" had hardly at all disguised his handwriting.

V.

THE LOGIC OF
COMMANDANT BESSON D'ORMESCHEVILLE.

All critics are, of course, perfectly aware that the whole business from first to last has been conducted practically "by order." Notice the following passage from a letter written to the *Aurore* of March 27th, 1898, by a French naval officer, stationed at Toulon.

"J'ai appartenu pendant plus de trente ans à la flotte. J'ai fait partie de plusieurs conseils de guerre; j'ai été en contact avec de nombreux chefs militaires ou marins, et, le plus souvent, j'ai constaté, même lorsqu'il s'agit de rendre la justice, cette subordination allant jusqu'à ôter à de nombreux officiers, d'un certain mérite cependant, la faculté de penser en présence d'un chef qui hypnotise leur entendement."

That is a remarkable candid admission, and it is absolutely true to fact. Even when military men are capable of weighing complicated and delicate evidence, they do not, as a rule, venture to employ their reasoning power against their superior officers. In the extremely rare instances in which they do, they invariably suffer the fate of Colonel Picquart. "Lie, if your commanding officer wishes you to lie, or be cashiered," is practically the mandate given to all judges at military tribunals.

Let me now prove what I have just said from Commandant Besson d'Ormescheville's own words, used in the report, or *acte d'accusation*, which he set before the judges at the Court Martial of 1894.

He wrote : 1. (In reference to Note 1. of the *bordereau*).

“*Il lui a suffi de se procurer, soit à la direction d’artillerie, soit dans des conversations avec des officiers de son arme, les éléments nécessaires pour être en mesure de produire la note en question.*”

As not a single witness could be found to testify to the above, this pretty much amounts to saying, “The accused man must have procured the necessary information by procuring the necessary information.”

2. (In reference to Note 2 of the *bordereau*), Commandant d’Ormescheville wrote :

“*Il nous paraît impossible que le capitaine Dreyfus n’ait pas eu connaissance des modifications apportées au fonctionnement du commandement des troupes de couverture au mois d’avril dernier ; le fait ayant eu un caractère confidentiel, mais non absolument secret et les officiers employés à l’état-major de l’armée ayant pu, par suite, s’en entretenir entre eux, et en sa présence.*”

Could any reasoning be more shockingly weak ? And remember that the very existence of a French officer and citizen to a large extent hung on the accuracy and reliability of this *acte d’accusation* drawn up by Commandant Besson d’Ormescheville. Remember that : and then think over the bearing of the paragraph I have just copied from the Commandant’s Report, and, more especially, of the words I have italicised. What the Commandant has just really said amounts to this : “It appears to us impossible that the accused person should not have known what a number of other people knew, as it was not really a secret.” If that bears in any way against Captain Dreyfus, it is obvious that it bears with equal force against a number of other people.

But, plainly, what Commandant d'Ormescheville has just said bears with no real force against anybody at all.

3. (In reference to Note 3 of the *bordereau*), Commandant d'Ormescheville wrote :

"*Il doit s'agir* de la suppression des pontonniers et des modifications en résultant. *Il est inadmissible* qu'un officier d'artillerie ayant été employé au premier bureau de l'état-major de l'armée ait pu s'en désintéresser quelques semaines avant qu'elle ne devînt officielle."

It is almost painful for anyone having the slightest pretensions to critical training, to have to deal with slipshod argument of this sort. However, as I am most anxious that the English public should, if possible, once for all be put in possession of the whole truth about this matter, I will point out

(a) That the *must* in *il doit s'agir* is an entirely unwarrantable assumption. At the time when Commandant Besson d'Ormescheville was drawing up his "Act of Accusation," no one, except Colonel Schwartzkoppen and the spy he was employing knew for certain what the "artillery modifications" referred to in note 3 of the *bordereau*, were. General de Pellieux and General Gonse had a great deal to say upon this point at Zola's trial. But the single fact which was clearly established, by these distinguished Generals' own categorical admission, was that they were both of them singularly in the dark as to all subjects relating to the artillery.

(b) I will point out that, if the suppression of the *pontonniers* was the point referred to, Commandant d'Ormescheville's argument slips from folly into positive imbecility. For this very question as to the

suppression of the pontoon-men was publicly argued in the Chamber of Deputies on May 21st, 1894! That is to say, according to Commandant d'Ormescheville (who considers that the *bordereau* was written in April, 1894), the whole wonderful secret was made completely public a very few weeks after note 3 of the *bordereau* had been penned.

But, according to General Gonse, the *reductio ad absurdum* of Commandant d'Ormescheville's argument is even more pronounced. General Gonse believes that the *bordereau* was written in *August*, 1894.* That is, General Gonse, when giving evidence upon oath, has committed himself to the statement that the *secret* note having reference to the suppression of the pontoon-men, was written about three months *after* the whole of that question had been thrashed out in *public*! Can anything show more glaringly the absolutely hopeless muddle into which the French Generals have got themselves over this matter?

(c) I will point out that the officers of the first bureau, on being interrogated, declared that Dreyfus had never attempted to procure information from them as to these "modifications."

4. (In reference to note 4 of the *bordereau*), Commandant d'Ormescheville wrote :

"Pour ce qui est de la note sur Madagascar qui présentait un grand intérêt pour une puissance étrangère, le capitaine Dreyfus *a pu facilement se la procurer*."

To show how "easily" Captain Dreyfus might have "procured" some information on the subject of Madagascar, the Commandant then refers to a work

*See the General's explicit testimony at Zola's trial.

of about 22 pages on Madagascar, which, in the month of February, 1894, was being copied by Corporal Bernollin, secretary of Colonel de Torcy, chief of the Second Bureau of the Staff, in the room next to that officer's study.

This important (!) work seems to have been copied quite openly by Corporal Bernollin, and, if Dreyfus saw the MS. lying upon the Corporal's writing table, so might any number of persons; any one, in fact, who had occasion to pass through the anti-chamber, in calling upon Colonel de Torcy.

But General Gonse, in his culpable eagerness to screen Commandant Esterhazy, has now muddled the matter still further, for he insists that the *bordereau* was not written till August, a period of the year at which Esterhazy could not well have written it. General Gonse, to support his alteration of the date agreed to by Commandant d'Ormescheville, refers the "note" on Madagascar to another matter altogether; an important secret negotiation in reference to Madagascar, which General Gonse says, took place in August, 1894, and which Esterhazy, General Gonse believes, could not have known anything about.

Therefore we have here the most absolute conflict of evidence between General Gonse and Commandant d'Ormescheville, the composer of the original act of accusation set before the military judges at the Court Martial.

So the wretched story goes on, from muddle to muddle, and from bad to worse.

The military chiefs assume every point they wish to believe, invent where they cannot prove, alter dates at discretion, and it is on such muddling

evidence as this that France has allowed a French officer to be condemned to deportation for life.

5. (In reference to note 5 of the *bordereau*), Commandant d'Ormescheville wrote :

“ Le capitaine Dreyfus a reconnu, au cours de son premier interrogatoire, s'en être entretenu à plusieurs reprises *avec un officier supérieur du 2^e bureau de l'état-major de l'armée.”

This is simply untrue. When the question was first put to Captain Dreyfus by Commandant du Paty de Clam, it was put in a vague and general kind of way, and Dreyfus answered “Yes.” But, afterwards, when the point at issue was clearly placed before the accused man, he explained that he had only spoken to the superior officer in question, Commandant Jeannel, on the subject of the German Artillery, and not at all about the *manuel de tir*, or Hand-book of Gunnery, of which he knew nothing. He demanded to be confronted with Commandant Jeannel.

It is hardly necessary to say that the confrontation never took place, and that no examination of Commandant Jeannel ever found its way into the *dossier*.

Moreover, the question in the *bordereau* was of the actual book, the Gunnery Hand-book itself, not merely of a “note” upon it. As the *bordereau* correctly states, a limited number only of these Hand-books are issued. The officers who receive them are responsible for them, and have to return their copies after the manœuvres.

Accurate inquiry into this matter would therefore have been easy. But no inquiry has ever succeeded

*The *manuel de tir* is the subject on which Dreyfus is said to have spoken.

in showing that any officer ever lent the manual to Dreyfus, or that Dreyfus ever endeavoured to borrow it.

On the other hand, it is now proved that Commandant Esterhazy did obtain the loan of this very *manuel de tir*, at the exact time when the *bordereau* was written. He obtained it from Captain Daguenet of the 74th, by forging an order from Colonel Abria, then in command of that regiment. The facts have long been well known in French military circles.

So much for the logic of the officer selected by General Mercier to carry on and complete the work so ably commenced by Commandant du Paty de Clam.

VI.

THE LOGIC OF GENERAL MERCIER.

I am sorry, but I now have to return for a few moments to General Mercier. It is necessary to point out the part that he himself most undeniably took in influencing the minds of the judges before the trial of Captain Dreyfus (that is, in procuring a judgment "by order"), and also in prejudicing and poisoning public opinion.

In the *Figaro* of November 28th, 1894, I find an account of an interview accorded by General Mercier to M. Leser, a representative of the above paper.

In the course of the conversation General Mercier made use of the following expressions :—

“J’ai soumis à M. le président du conseil et à mes collègues *les rapports accablants* qui m’avaient été communiqués et, sans aucun retard, l’arrestation du capitaine Dreyfus a été ordonnée. On a écrit à ce sujet beaucoup d’inexactitudes: on a dit, notamment, que le capitaine Dreyfus avait offert des documents secrets au gouvernement italien. C’est une erreur. Il ne m’est pas permis d’en dire davantage, *puisque l’instruction n’est pas close*. Tout ce que l’on peut répéter, c’est que *la culpabilité de cet officier est absolument certaine* et qu’il a eu des complices civils.”

I first remark that MM. Dupuy and Guérin, the only “colleagues” whom General Mercier took into his confidence, on being subsequently questioned as to the matter, were perfectly clear that the only so-called *rapport accablant* put before them by General Mercier was the question of the *bordereau*. Moreover, M. Guérin, who was Minister of Justice in 1894, explicitly stated that he himself recommended M. Bertillon, at the request of General Mercier, who was dissatisfied with the expert evidence hitherto received, and was anxious to take a final opinion.

This shows as clearly as possible that General Mercier spoke quite inaccurately when he told the *Figaro* that he had submitted *rapports accablants* to his “colleagues.” He certainly did nothing of the kind. He mentioned certain reports to them, and he spoke of the *bordereau*, the expert evidence as to which, up to that point, was, on his own showing, quite inconclusive. But he set before them no overwhelming secret documents: not one. M. Guérin and M. Dupuy (Prime Minister in 1894) were absolutely certain as to this. General Mercier knew that he was acting illegally, and he took care to hold his own counsel as to the matter of documents not

shown to Dreyfus, or his adviser, until the moment when compelled to mention the *canaille de D...* document to M. Casimir-Périer, the then President of the Republic, in order to remove the conscientious doubts of this upright and honourable man.

I next point out that General Mercier, after saying that "the inquiry is *not yet closed*," in the very next breath asserts that "the guilt of the officer accused is *absolutely certain*."

This is one of the most startling utterances in the whole unique history. What, if one may venture to ask, is the use of an "inquiry," if the guilt of the person whose guilt is being inquired into is "absolutely certain?"

Why invite judges to examine and decide upon the case; why go through the mockery of a trial, if the Minister of War is to be permitted in his own personality thus to deliver judgment upon the case, and to direct both the judges and the public, before the so-called "inquiry" is at an end?

But this is not all. Events have moved on since General Mercier, three weeks before the trial of Dreyfus, told M. Leser that he was in possession of absolute proofs of the accused man's guilt, and allowed the latter, by anticipation, to be publicly branded as a traitor.

We now know that at the trial no such absolute proofs were forthcoming. Commandant d'Ormescheville's *acte d'accusation* contains no traces of them. Moreover, it is certain that the *bordereau*, as to the handwriting of which the Government experts were in complete conflict of opinion, did not commend itself as an absolute proof, even to the minds of the military judges—eager as they were, no doubt, to

follow obediently in the track which had been so carefully indicated to them by General Mercier in the *Figaro* of November 28th. In spite of the pressure put upon them at head-quarters, they had the honesty to waver. They were upon the point of acquitting Captain Dreyfus, when General Mercier, angry at their scruples and determined at all costs to secure a conviction, flung the famous secret document into the balance.* This carried the day, and the officers at the Court Martial submissively registered the judgment which had been pronounced publicly in the *Figaro*, without their assistance three weeks previously, by the absolutely autocratic Minister of War.

That this is a precisely true account of what occurred, no one cognisant with the facts will now dispute. General Mercier himself, when under cross-examination at the trial of M. Zola, was not able to deny the communication of a secret document. The utmost he could allege upon oath was that he had never *said* that there was a secret document. No Minister, when closely interrogated, has ever been able to deny it. The utmost that the authorities have been able to do is to give evasive answers, and to keep the gates of his prison closed upon the illegally condemned man, by a most dishonourable and unjustifiable silence.

In addition, we have the explicit declaration made to Maître Salle, the intimate friend of Dreyfus' advocate, by one of the judges at the Court Martial, that "*Maître Demange did not see all that they saw.*"

* By this very act General Mercier admitted that the *bordereau*, and all preceding so-called proofs, were insufficient.

And, if that were not enough, we have the specific secret document in question alluded to and described by that blundering officer Commandant Ravary, in his report at the time of the Court Martial upon Esterhazy. Commandant Ravary is a very well-meaning man, and most anxious to assist his superiors even at the cost of accuracy—as he proved when under cross-examination. But General Billot would have done well to despatch him to Algiers, or to Tunis. He is not a brilliant reasoner, and he generally ends by giving away the very persons whose cause he is most anxious to further.

We now know that this secret document in no way applied to Captain Dreyfus. Thanks to the honesty and courage of Colonel Picquart, and the various admissions forced out of the War Office, the full truth relating to it has now been ascertained.

General Mercier must have known perfectly well that in any case this secret production of a document intended to secure a conviction, the grounds of which would never be revealed to the accused man or his defender,—or, as General Mercier then believed, to the world,—was illegal. He must, therefore, have known perfectly well that he was illegally compassing the destruction of a French citizen.

It is necessary to add that there seems the strongest possible reason to believe that General Mercier did not show the document to the officers who were acting as judges at the Court Martial, but simply read it out to them. His reason for not placing the document before their eyes was that they would at once have detected the double fraud

which their General was practising. For it was a base and fraudulent action to read out the full name "Dreyfus," when the document only contained the initial D... It was also a base and fraudulent action intentionally to conceal from the judges the fact of which General Mercier must himself have been perfectly aware, and which an actual perusal of the letter would at once have revealed to them; the fact, namely, that the references to Madame D... in the letter could not possibly have related to Madame Dreyfus.

There is also, I regret to say, very strong ground for supposing that General Mercier, at the very moment when he allowed Captain Dreyfus to be condemned as the writer of the *bordereau*, was fully aware of the name of the actual writer of that document.

VII.

WHAT M. PAUL DE CASSAGNAC THOUGHT IN 1894.

I should like now to give, at some little length, certain quotations from an article written by M. Paul de Cassagnac, the well-known Bonapartist deputy, in the *Autorité*, on December 8th, 1894,—that is to say, about a fortnight before the trial of Captain Dreyfus. I will ask the reader to go through these extracts carefully. The time spent

upon them will not be wasted, for M. de Cassagnac's article is a most significant landmark in the inner history of this complicated matter. It was certainly written in absolute good faith. It was written by a man who afterwards became, for reasons which I shall presently examine, one of the most violent opponents of the Dreyfus party ; and it shows how right and sensible the general feeling in France was, before the authorities, for political and private reasons, elaborately perverted and poisoned it.

On December 8th, 1894, the present bitter enemy of Zola and Dreyfus, who can now find nothing too savage to say in scorn of them, wrote in the very paper which was afterwards to become one of the most influential supporters of the Government, what is practically an overwhelming refutation of his own more recent arguments, and of the arguments employed by the military chiefs.*

He wrote :

" Faut-il le dire ? Plus je vais, plus je me sens perplexe, et je me demande si, par hasard, le capitaine Dreyfus ne serait pas innocent ?

" Cette solution, après tout, si elle résultait des preuves, des faits, du procès lui-même, ne serait-elle pas la plus souhaitable ?

" Quant à moi, dès le début, je n'ai pu me faire un seul instant à la pensée qu'un officier français aurait vendu son pays à l'ennemi.

" Et la haine que j'éprouve pour les juifs ne fera pas que j'aime mieux trouver un coupable qu'un innocent sous l'uniforme militaire...

* I will italicise certain specially important passages. But those who desire thoroughly to understand the history of the Dreyfus affair, should study the whole article carefully.

"Ce qui m'inspire des doutes, c'est ce qu'on affirme au sujet du document qui serait l'origine, la cause, la base même de l'accusation.

"Le document en question est une pièce dont l'écriture serait de Dreyfus.

"Il aurait été ramassée par un agent secret dans le panier à papier d'un attaché militaire étranger où, par mégarde, il serait tombé.

"S'il n'y a que cette preuve au dossier, l'accusation portée contre Dreyfus a été formalée avec autant d'imprudence que de légèreté.

"Qui ne sait, en effet, que, même lorsque des experts en écritures sont d'accord, il est loin d'être démontré qu'ils ont raison ?

"Et le public, très incrédule à l'égard de cette prétendue science, n'a pas oublié le fameux procès de la Boussinière qui fut plaidé à Angers et dans lequel les experts en écritures n'ont pas brillé, loin de là. Ils se sont trompés plusieurs fois. Or, deux de ces experts, si malheureux dans l'affaire de la Boussinière, sont précisément au nombre des trois qui déclarent que le document est bien de la main de Dreyfus.

"C'est une malchance pour l'accusation."

Remember that it is M. Paul de Cassagnac, the present devoted servant of the military chiefs, who said this in 1894.

And now notice how at this point began that campaign of hints, half-truths, insinuations and calumnies, which has been ever since carried on with such persistence and success by the authorities.

"Malheureusement pour Dreyfus, il paraîtrait qu'il y a autre chose. On parle d'un autre document trouvé chez le même attaché militaire étranger, et qui serait accablant."

Observe here the gradual leading up to the secret document which, a fortnight later, was produced at the Court Martial.

And observe, in the coming paragraphs, what M.

Paul de Cassagnac, who was then speaking the minds of all honest and upright Frenchmen, thought as to this secret document and the Government methods in regard to it. You will see that he wrote far more strongly in the *Autorité* in December, 1894, than M. Zola wrote in the *Aurore* in January, 1898.

“Oui ... mais le gouvernement n'aurait pas le courage, paraît-il, d'avouer publiquement comment il s'est procuré cette pièce et chez qui.

“Et on hésiterait à produire la pièce.

“Alors que resterait-il de l'accusation ?

“Est-ce parce que le gouvernement, responsable de ce lamentable procès, ne se sent pas suffisamment armé qu'il se propose de demander le huis clos ?”

In the last paragraph M. Paul de Cassagnac, we now see, spoke exactly the truth. General Mercier decided to proceed with closed doors, because, for some reason, he was beyond all things desirous to obtain a conviction, and because he perfectly realised that the evidence at his disposal would not suffice to obtain a conviction, if shown in broad daylight to the accused man, and openly scrutinised by his counsel. No doubt, that is perfectly true—though it is also perfectly infamous. As General Jung said, “*C'était abominable.*” But it is certainly odd to find M. Paul de Cassagnac plainly telling General Mercier so, a fortnight before the trial.

“Est-ce parce qu'il a peur de la puissance étrangère dont l'attaché militaire a joué un rôle ignoble ?

“Nous ne savons.

“Mais, ce que nous savons bien, c'est que l'opinion publique ne lui permettra pas de s'entourer de ténèbres et de fuir le débat contradictoire devant tous.”

The very iniquity which M. Paul de Cassagnac, in 1894, believed that public opinion would not tolerate, has now been perpetrated three times; at the trial of Dreyfus, at the trial of Esterhazy, and at the trial of Zola. But to-day we find M. Paul de Cassagnac defending it !

"Il y aurait une imprudence *doublée d'une lâcheté.*

"Il serait vraiment étrange que la France, après s'être si vivement indignée du huis clos où les Italiens ont étranglé l'affaire Romani, employât le même moyen, *misérable et repugnant*, à l'égard du capitaine Dreyfus.

"Un officier français, en France, chez lui, doit avoir le droit de défendre publiquement son honneur, et le gouvernement, qui l'accuse, a le devoir de lui accorder la faveur *d'une pleine lumière et du grand jour.*"

Could there possibly be better pleading? What M. Paul de Cassagnac then wrote was not only just and humane, it was also wise and politically prudent.

Listen to what follows :—

"*Que le gouvernement prenne garde : il ne s'agit pas ici d'une cote mal taillée à chercher et d'une moyenne à obtenir.*

"On ne se contentera pas d'une condamnation au minimum, due à de simples présomptions *et formulée dans l'ombre d'un huis clos pour étouffer l'affaire.*

"Il nous faut un coupable, *car il y en a un.*

"Si le coupable n'est pas le capitaine Dreyfus, *c'est le gouvernement.*"

That is to say, on December 8th, 1894, we find M. Paul de Cassagnac, in the *Autorité*, which has since become a Government paper, anticipating the very judgment which is now, in 1898, being passed upon the French authorities by all competent critics, throughout the world.

But there is more to come :

“ *Et quelle effroyable responsabilité pèserait sur le gouvernement de la République s'il était démontré que, sans preuves suffisantes, absolues, convaincantes pour les plus sceptiques, il a commis cette infamie, ce crime horrible de salir l'armée française tout entière en accusant un officier du plus épouvantable des forfaits, d'avoir vendu sa patrie à l'ennemi.* ”

It has now been incontestably shown that the Government *did* commit what M. Paul de Cassagnac calls the *infamie*, the *crime horrible*, of “accusing” (worse still, of condemning) a French officer, “without sufficient proofs;” and not only upon insufficient proof, but upon evidence never even set before him.

Who then, on M. Paul de Cassagnac's own showing, has been guilty of “dishonouring the entire French army?”

General Mercier.

Even now, I have not quite done with M. Paul de Cassagnac.

He continues :

“ *Si le capitaine Dreyfus est acquitté, le ministre de la guerre devient le traître, et il n'est pas de châtiment qu'il ne mériterait.* ”

“ Dreyfus acquitté, Mercier doit être chassé honteusement, non pas seulement du ministère, mais des rangs de l'armée, pour avoir été cause de la mise en suspicion d'un officier innocent.”

Here, again, it is almost weird to find M. Paul de Cassagnac speaking in 1894 what is certainly the exact pitiless truth, though France is to-day cringing before the feet of generals whom she could degrade and banish by one great Republican word.

“ *Car je ne puis imaginer qu'on aurait arrêté cet officier, qu'on l'aurait chargé d'une telle accusation, qu'on l'aurait*

livré depuis des mois au supplice affreux de la flétrissure nationale cent fois plus terrible que la fusillade, lui, un père de famille, ayant femme, enfants désormais dés-honorés, malgré tous les acquittements possibles, *qu'on aurait torturé, supplicié cet homme vivant* alors qu'on n'était pas certain, *archi-certain*, de sa culpabilité.

"Aussi, un débat public est-il indispensable."

"L'acquittement dans les ténèbres laisserait Dreyfus souillé par tous les soupçons.*

"On paraîtrait l'avoir acquitté par crainte de la puissance étrangère dont l'attaché militaire est en cause.

"Ou l'on dirait que les juifs ont acheté la conscience des juges.

"Un acquittement à huis clos n'en est pas un; c'est une espèce de condamnation hypocrite et honteuse."

Does M. Paul de Cassagnac consider that the acquittal of Esterhazy by a Court Martial sitting with closed doors, was *a hypocritical and shameful kind of condemnation?*

No doubt it was. But M. Paul de Cassagnac is the last person in the world whom we should have expected to say so.

"Quant à une condamnation, *qui donc l'oserait espérer† sans les preuves irrécusables* qu'à notre époque la société est obligée de fournir, *d'étaler sous les yeux de chacun*, avant de tuer moralement et matériellement un de ces enfants?

"Prendre à un homme, à un soldat, son honneur et sa vie, *sans dire pourquoi?* Allons donc! *c'est impossible*: la raison humaine interdit un pareil retour aux plus sombres traditions des tribunaux secrets de l'Espagne et des Pays-Bas.

"Le gouvernement de la République, renouvelant *et aggravant* les mystérieuses et inavouables procédures de

*Notice that Esterhazy was acquitted "*dans les ténèbres*."

†M. Paul de Cassagnac underrated the pliability of the judges.

l'Inquisition et de la Sainte-Vehme, quand il s'agit d'un officier français, *et par pusillanimité !* Je le répète, *c'est impossible, car ce serait trop ignominieux.*"

Why did M. Paul de Cassagnac veer round, and become, after writing this article, one of the most embittered opponents of the Dreyfus party? The article obviously expressed his sincere conviction, and it is full of common sense and sound reasoning. I think the explanation of M. Paul de Cassagnac's change of front must be sought among political causes. We must remember that all supporters of royal or imperial pretenders to the throne of France stand in absolute need of the assistance of the French army. Their very first effort, naturally, is to win over the army to their side. Without the goodwill and help of the military chiefs, their cause would be manifestly hopeless. This consideration will, I think, interpret to us M. de Cassagnac's otherwise inexplicable change of opinion. When the wary Bonapartist deputy realised that the Dreyfus case was likely to extend itself and to become concerned with wider issues than he had at first anticipated, when, above all, he saw that the so-called "honour of the army" was becoming pledged to a maintenance of the *status quo* in the matter of Dreyfus, and that this officer's supporters were soon likely to be looked upon as enemies of the army, the whole thing presented itself to him in a totally new light. He had spoken, and he must have known that he had spoken, the absolute truth in the article from which I have been quoting. But the matter had now, for him, passed from the

region of abstract truth into that of practical expediency. Colonel Louis Bonaparte cannot be placed upon the throne of France without the active co-operation of the army. So, when people finally took sides, when it became quite clear that the struggle was to be between the more consistent and honest Republicans and the clerico-military party, M. Paul de Cassagnac ceased to be a philosopher and took active service under General Billot and General de Boisdeffre. It was a pity, but the thing readily explains itself: in fact, too readily.

VIII.

WHAT M. PAUL DE CASSAGNAC AND M. ADOLPHE
POSSIEN THOUGHT IN 1896.

General Mercier's wishes, announced to the public and the judges, as we have seen in the *Figaro*, had their due weight. Then, to make the thing absolutely certain, the secret document was communicated—behind the now doubly closed doors—and the condemnation, as a matter of course, followed.

I do not purpose to dwell upon the painful scene of the public degradation of Captain Dreyfus in the Court of the *Ecole Militaire*. This part of the story is already well known to English readers. It

is what I may call the scientific side of the narrative—the singularly suggestive sequence of facts, newspaper articles and incidents—which has not yet been dealt with coherently and critically, and it is towards this which I wish to direct special attention. The mere outward and dramatic features of the story are in reality of much less importance than its inward and critical side.

One point, however, in connection with the degradation scene at the *Ecole Militaire* is of great evidential value, and should be mentally noted. This is the very day on which it was afterwards suggested by the military authorities* that Captain Dreyfus made an avowal of his guilt to Captain Lebrun-Renault of the Municipal Guard, who assisted at the ceremony of the degradation. Remember, then, that even the Government papers, in their accounts of what took place on that day, unite in affirming that the ceaseless cry of the condemned officer was: “You are degrading an innocent man. *I am innocent!*”

For those who wish to follow consecutively the chain of events in this, one of the most singular narratives of history, the next halting place is the threshold of M. Castelin’s interpellation of the Government in November, 1896. Let me briefly explain what led up to it.

On September 2nd, 1896, a Newport paper, the “South Wales Argus,” announced that Dreyfus had

* They insinuate, for they never do anything but hint and insinuate, that Dreyfus made some kind of admission to Captain Lebrun-Renault just before the degradation. But Captain Lebrun-Renault seems to have committed nothing to writing, till egged on to it by the authorities in *November, 1897!*

escaped from Devil's Island, to which, after his conviction, he had been deported for life. The report of Dreyfus' escape was brought by a Captain Hunter, of the *Non Pareil*, which had arrived from Cayenne. The "Daily Chronicle" reproduced from the "South Wales Argus" the details of the alleged escape, which were then copied into all the French papers.

How the report, which was false, arose, has never been exactly ascertained. But it is a most important landmark in the history, for from that moment dates the renewed interest in the case of Dreyfus, which, steadily growing more intense and feverish, reached its climax of popular expression at the trial of M. Zola in February, 1898.

French papers of the most widely differing political views gave expression to the general feeling, and the general feeling in September, 1896, was just this; "Is the matter really proved? May it not, after all, be possible that Dreyfus is innocent?"

The *Jour*, which afterwards became violently hostile to the cause of Dreyfus, at this period approached the matter in an honest and truth-loving spirit. It commenced an inquiry of its own, and, on September 11th, 1896, a most remarkable article from the pen of M. Adolphe Possien appeared. The article proves clearly that up to that point a reasonable and temperate view prevailed among many thoughtful Frenchmen. The article should be read in its entirety by students of the case, but I will here make only a brief quotation or two from it.

M. Possien said :

"Puisque la question Dreyfus est revenue sur le tapis et puisque cette fois les polémiques engagées à ce sujet ne

peuvent se terminer que par une suite d'enquêtes, nous avons voulu, nous aussi, apporter notre quote-part dans la recherche des causes qui amenèrent l'arrestation et la condamnation du déporté de l'île du Diable....

"C'est avec la plus grande impartialité que j'ai fait une enquête sur les événements qui amenèrent l'arrestation de Dreyfus et sur ceux qui suivirent, jusqu'au moment de son embarquement pour l'île du Diable.

"Je ne prétends pas prouver son innocence, *mon but est d'établir que sa culpabilité n'est pas démontrée.*"

To say as much as this in September, 1896, was saying a very great deal. So our friend M. Paul de Cassagnac thought. Up to that point he had, apparently, not realised the close connection between the guilt of Dreyfus and "the honour of the army." He did not know all that he and we know to-day. He was still under the simple and reasonable impression that the thing most conducive to the real "honour of the army" would be to prove, if possible, that there had in fact been no treason at all, and that the condemned man, though a Jew, was innocent.

M. Paul de Cassagnac, therefore, wrote an admirable article in the *Autorité* of September 14th, 1896. As in his article of December 8th, 1894, from which I quoted so extensively in the last section, he expressed the exact truth in the clearest and most forcible language. Some of the most convincing arguments in favour of the innocence of Dreyfus stand for ever recorded in the writing of those who to-day, for political reasons, are compelled to take up an attitude of vehement hostility to him. That is one of the most curious and instructive features in the history.

M. de Cassagnac said :

" Comme la plupart de nos concitoyens, nous croyons Dreyfus coupable.

" Mais comme notre confrère [the writer of the article in the *Four*], nous n'en sommes pas certains. ...

" La culpabilité de Dreyfus peut-elle inspirer des doutes ?

" Voilà le problème posé dans ses vrais termes.

" Or, *grâce à la stupidité et à la lâcheté du gouvernement de la République*, la question, loin d'être close, *demeure ouverte perpétuellement.*

" Pourquoi ?

" Parce que le gouvernement, a l'encontre de beaucoup d'entre nous, *n'a pas osé faire le procès en plein lumière*, de façon que l'opinion publique fût complètement édifiée et fixée.

" Il a préféré le procès à huis clos, dans les ténèbres.

" Or, *rien n'est plus contraire à la justice que l'obscurité.*

" *La vérité seule ne craint pas l'aveuglement du grand jour.*"

It is very evident that, when M. de Cassagnac wrote the above on September 14th, 1896, he was in a frame of mind absolutely antagonistic to that of his present friends General de Boisdeffre and General de Pellieux. If the evasive and insincere rubbish as to "secrets of state," "private secrets," "professional secrets," "secrets of the national defence," and so forth, which was talked by these Generals at Zola's trial, could have been put before M. de Cassagnac in 1894, I cannot doubt that he would have treated it with the contempt which it unquestionably deserves.

For why was the rubbish talked by the Generals ? Plainly, for one only reason ; to make it more difficult to prove facts, the proof of which might have resulted in the salvation of a very possibly innocent man.

These articles, along with many others of a like kind, and the state of mind which they at once induced and indicated in the public, made the authorities at the War Office very uneasy.

Without a moment's delay something had to be done to stifle the growing spirit of criticism, and also to render abortive a certain independent inquiry which was at the same moment being carried on by Lieutenant-Colonel Picquart, a most intelligent and fearless officer, who was at that time the Chief of the Intelligence Department. This inquiry threatened, if not nipped in the bud, to produce results extremely awkward and unpleasant to the authorities.

I will first say a few words as to Lieutenant-Colonel Picquart's inquiry, and then explain the steps taken by those interested in the matter, to prevent his bringing the truth to light and to direct public attention into other channels.

IX.

THE DISCOVERY OF THE PETIT BLEU.

At the beginning of May, 1896, the fragments of a card-telegram, generally called a *petit bleu*, fell into the hands of Colonel Picquart, who, as I have said, was the Chief of the Intelligence Department.

This card-telegram contained no communication of importance, but it was addressed to Commandant

Esterhazy, and it showed that the writer was on intimate terms with him.

The point of importance is that this card-telegram, as Colonel Picquart explained in Court at Zola's trial, was brought from the German Embassy by the same French agent who captured the *bordereau*. Colonel Schwartzkoppen has now most honourably admitted that this card was actually written by himself, or by one of his agents.

Colonel Picquart was afterwards accused by Commandant Lauth, Colonel Henry, and the *archiviste* Gribelin, of having endeavoured to induce them to tamper with the *petit bleu*, by getting it illicitly stamped at the post office. Out of this charge sprang the sensational scene between Colonel Picquart and Colonel Henry at Zola's trial, and the subsequent duel between those two officers.

It is now quite certain that the charges against Colonel Picquart may safely be dismissed. I have already indicated* the causes that led to the growth of jealous and angry feeling on the part of Commandant Lauth and Colonel Henry.† Moreover, all three witnesses—Lauth, Henry, Gribelin—were convicted of serious inaccuracies, confusions of dates, etc.

There is also a point which was not remarked at the trial in the Assize Court, but which strongly corroborated Colonel Picquart's testimony. *Commandant Lauth was arguing against himself*. The

*See Section III.

†I am now giving these officers their later titles. Like every officer who has been of service to the War Office in its struggle against Captain Dreyfus and Colonel Picquart, they were promoted.

addition of a stamp or post-mark would not render the *petit bleu* "authentic," as he maintained, but inauthentic. The post-mark would destroy all its value as evidence; for that value consisted, not in its having passed through the post, but, obviously, in its having been brought straight from the waste paper basket, or the house, of some foreign attaché.

When Colonel Picquart had become possessed of the *petit bleu* addressed to Commandant Esterhazy, he, with the approval of his chiefs, proceeded to obtain specimens of the Commandant's handwriting. This, as Colonel Picquart explained, is the usual course in such cases. Specimens of a suspected person's handwriting are procured, and are compared with documents in the possession of the Intelligence Department.

Colonel Picquart, therefore, procured some of Esterhazy's letters, relating to military matters, from the Colonel of the latter officer's regiment. On carefully studying them, Colonel Picquart was, he says, struck with astonishment at the extraordinary resemblance between the handwriting of these letters and the handwriting of the famous *bordereau*.

However, distrustful of himself as a critic of handwriting, Colonel Picquart proceeded to take other advice. And now comes a most remarkable incident.

What Colonel Picquart did was as follows. He had careful photographs made of the letters of Esterhazy which he had obtained, leaving out such words as "mon colonel," or the signature, or phrases indicating too plainly the origin of the letters. He then submitted these photographs to two persons,

whose opinion on the question was, as Colonel Picquart rightly considered, pre-eminently worth having. These two persons were M. Bertillon, and Commandant du Paty de Clam.

The matter now becomes so important that I think it best to quote Colonel Picquart's exact words.

"M. Bertillon, dès que je lui eus présenté la photographie, me dit: '*C'est l'écriture du bordereau.*' Je lui dis: 'Ne vous pressez pas, voulez-vous reprendre cet échantillon et l'examiner à loisir?' Il me repliqua: 'Non, c'est inutile, *c'est l'écriture du bordereau*, d'où tenez-vous cela?'—'Je ne puis vous le dire.'—'Enfin, c'est d'une époque antérieure?' Je lui répondis: 'Non, c'est postérieur.' Alors, M. Bertillon me dit textuellement ceci: 'Les juifs font depuis un an exercer quelqu'un pour avoir de l'écriture du bordereau, *ils y ont parfaitement réussi, c'est évident.*'

"La seconde personne à qui j'ai montré un échantillon de l'écriture du commandant Esterhazy était le colonel du Paty, alors commandant. Je ne le lui laissai que pendant quelques minutes, cinq minutes, je crois, il me dit: 'C'est l'écriture de M. *Mathieu* Dreyfus.' Il faut vous dire que, pour expliquer cela, le colonel du Paty prétendait que, pour écrire le bordereau, Alfred Dreyfus avait fait un mélange de son écriture avec celle de son frère! Enfin, l'indication était précieuse pour moi."

That is absolutely clear and cogent. Both M. Bertillon, and Commandant du Paty de Clam, when speaking, for the moment, their honest minds without prejudice, explicitly admitted the astonishing resemblance between the handwriting of the *bordereau* and that of Esterhazy.

X.

GENERAL GONSE'S LETTERS TO COLONEL
PICQUART.

COLONEL Picquart reported the discovery of the *petit bleu* to General de Boisdeffre in July, 1896, and to his immediate superior, General Gonse, somewhat later. Both General de Boisdeffre and General Gonse at that period affected to approach the matter with a free mind, and were evidently by no means unprepared to find that Dreyfus was innocent, and Esterhazy guilty. They received the news of the discovery of the *petit bleu*, and of all that might possibly hinge upon that discovery, to use the excellent expression of a French writer, "without enthusiasm but without astonishment."

Both General de Boisdeffre and General Gonse encouraged Colonel Picquart to persevere with his enquiries, and a series of most interesting and significant letters, in the course of September, 1896, passed between Colonel Picquart and General Gonse.

The authorities have now succeeded, by a somewhat underhand device, in obtaining possession of the originals of General Gonse's letters, and we may be quite sure that they will stick very tight to them. At Esterhazy's trial Colonel Picquart had these letters in his pocket, as it was intended to produce them as most valuable evidence. General de Luxer, the president of the Court Martial, asked Colonel Picquart for them, and the Colonel, of course, handed

them to him. The letters were not read in court, or used as evidence ; but General de Luxer took very good care to confiscate them.

After this summary confiscation of the originals, President Delegorgue refused to allow M. Scheurer-Kestner to read copies of the letters before the Court of Assize, on the ground that the originals had never been "put in" as we say. It is certainly a little bit stiff, first to appropriate one's property, and then to take immediate legal advantage of one's want of power to produce that property ! But the proceeding was in no wise worse than some twenty or thirty equally summary and unjustifiable proceedings to which President Delegorgue lent his countenance, quite shamelessly. It was not worse, for instance, than the fact that General Billot, the Minister of War, acted throughout the trial of Zola in a double capacity. As Minister of War, he prosecuted M. Zola, but as the chief of the army, he "authorized" the military witnesses, whom M. Zola had summoned, not to appear and not to speak ! Justice has, indeed, fallen very low in France, when the prosecutor is allowed to "authorize" the witnesses for the defence to remain away from the court, or to maintain an obstinate silence, if they do have to make their appearance in it.

General Gonse's most important letters have been published *in extenso* by the Paris papers, and their authenticity is undisputed. They are so significant that they ought to be quoted entire, but, space failing for this, I will try to give the most pregnant passages.

On September 7th, 1896, General Gonse writes :

" Mon cher Picquart,

" J'ai reçu votre lettre du 5 et, après avoir bien réfléchi à tout ce que vous me dites, je m'empresse de vous faire connaître qu'il me paraît utile de marcher dans toute cette affaire avec une grande prudence en se méfiant des premières impressions."

On September 8th, Colonel Picquart replies :

Je crois avoir fait le nécessaire pour que l'initiative vienne de nous.

" *Si l'on perd trop de temps, l'initiative viendra d'ailleurs.* Ce qui, faisant abstraction de considérations plus élevées, ne nous donne pas le beau rôle.

" Je dois ajouter que ces gens-là ne me paraissent pas informés comme nous, et que leur tentative me paraît devoir aboutir à un gâchis, un scandale, un gros bruit qui n'amènera pourtant pas la clarté.*

" Ce sera une crise fâcheuse, inutile, *et que l'on pourrait éviter en faisant justice à temps.*"

On the 10th of September, General Gonse replies :

" Au point où vous en êtes de votre enquête, *il ne s'agit pas, bien entendre, d'éviter la lumière* ; mais il faut savoir comment on doit s'y prendre pour arriver à la *manifestation de la vérité.*

" *Je sais bien que le problème à résoudre est difficile, qu'il peut être plein d'imprévu.*

" J'ai l'occasion d'écrire au général de Boisdeffre ; *je lui en touche quelques mots dans le sens de ma présente lettre.*"

On September 14th, Colonel Picquart answers :

" Je crois devoir affirmer encore une fois qu'il faut agir sans retard. Si nous attendons encore, nous serons

*It is positively painful to remember that this was written on September 8th, 1896. It is the most absolutely accurate prediction of what took place in February, 1898. Colonel Picquart's outspoken warning was, of course, utterly wasted on the dull official minds to which it was addressed, and he has suffered the invariable fate of all prophets who prophesy—the truth

débordés, enfermés dans une situation inextricable* *et mis dans l'impossibilité d'établir la vérité vraie.*"

Now what do these letters, which are painful to read at the present date, most incontestably show?

They absolutely prove that in the autumn of 1896, just before the Castellin interpellation in the Chamber, General Gonse looked upon the question of the guilt or innocence of Dreyfus as practically an open question. It is impossible to escape this conclusion. It positively flashes from the letters. General Gonse encourages Colonel Picquart to persevere in his enquiry, though emphatically impressing upon him the necessity of prudence and caution. General Gonse even goes so far as to say that he will "touch upon the matter" to General de Boisdeffre, the Chief of the General Staff.

It is quite clear that Dreyfus cannot be both guilty and innocent, and it is equally clear that in the autumn of 1896—that is, about a year and three quarters after that unhappy man's conviction—General Gonse was not very sure whether the convicted man was guilty or innocent. It is also clear that General Gonse did not think that General de Boisdeffre was over positive about the matter either, or he would not so calmly have spoken about "touching upon the subject" to the latter General. All this seems to me unspeakably grave. It has seemed unspeakably grave to all the more thoughtful and reasonable people in France.

But these letters of General Gonse prove even more than this. They prove, again quite incontestably that the pretended avowals of his

*This is, of course, precisely what has happened.

guilt by Dreyfus, on which the French government papers dwelt with such relish were never made at all. For, if they had been made, why did not General Gonse at once stop Colonel Picquart's investigations by saying to him, "You are engaged in a wild goose chase. Dreyfus confessed his guilt. There is no need for you to proceed further in the matter." This as we now see, is just what General Gonse did *not* say, and the inferences which we cannot but draw from his silence, are very disquieting.

General Gonse's letters also prove—and this perhaps is the most disquieting point of all—that the alleged secret absolute proofs of Dreyfus' guilt did not to General Gonse's mind in 1896 really exist. If they had existed, General Gonse would have said to Colonel Picquart, "Such and such a proof exists in the secret *dossier*. You, as the head of the Intelligence Department, know this as well as I do. Why are you making a fool of yourself, and wasting my time, by talking about the man's possible innocence?"

This, again, is exactly what General Gonse did *not* say. His own letters prove that he neither said, nor thought it. We now know that *since* the date of General Gonse's letters to Colonel Picquart an astounding manufacture of forgeries has been going on at the French War Office. The larger part of the documents in the "secret *dossier*" on which M. Cavaignac and General Zurlinden subsequently based their alleged "conviction" as to Dreyfus' guilt, were beyond all possible question, *added* by forgers to the Dreyfus *dossier* between the years 1896 and 1898.

And that this shameless fabrication of forgeries went on, from day to day and from month to month, without the direct knowledge and approval of the French military (and some of the civil) authorities, no critic will ever believe.

XI.

THE COUP DE MASSUE IN THE "ECLAIR."

We have now reached the turning point of the whole of this strange history. It is evident, as I pointed out in Section VIII, that the articles in the *Jour* and the *Autorité* and the general revival of interest in the subject in France, sent a thrill of dread through the enemies of Captain Dreyfus. It is evident that, as the time drew nigh for certain awkward questions concerning that officer to be asked in the Chamber, it was deemed necessary by some person, or persons, mostly deeply interested in the matter, to anticipate events, and to deal out to Dreyfus what M. Trarieux in his deposition at Zola's trial called *le dernier coup de massue*; the final and decisive blow which would settle and silence him once for all. That final stroke was dealt, or at least such was the manifest intention, by the communication to the *Eclair* that a copy existed at the War Office of a secret document which had passed between two foreign attachés, containing the words

cette canaille de Dreyfus, and that this document put the question of Dreyfus' guilt for ever beyond question.

Now observe: this was certainly the intention of the person, or persons, who made the communication to the *Eclair*. The article that was written in consequence of it was no *ruse*: it was manifestly murderous in aim. It was plainly designed to be the stroke which should plunge under water for ever the head of one swimming desperately. It was cunningly calculated, in order to send a fresh tide of Dreyfus-hatred pulsing through the country, and in order thus to smooth the path of the Government, and render it easier for them to baffle the seekers after justice when the time came for the interpellation in the Chamber.

Therefore, this being the manifest intention, it is clear that the communication to the *Eclair* could not possibly have emanated from Colonel Picquart, or from any of the friends of Dreyfus. It certainly came from some person whose interest it was to check, or to close, all enquiry. And it certainly came either from the War Office, or from some one who had access to the secret *dossiers* at the War Office.

Moreover, the intention of the person who communicated with the *Eclair* was so marked, and so deadly, that in the version of the secret document given in that paper, the word *Dreyfus* was printed in full, though in the real document only the initial D is given: *ce* canaille de D...* The supposed

* In the original document *ce* is written, instead of the correct gender, *cette*.

traitor was to be branded by name this time; that would assuredly dispose of him! This, as M. Trarieux the former Minister of Justice rightly said, was more than an error: it was a crime.

Now who committed this crime? If that were known with certainty—it was distinctly the business of the Government to discover this, and they *could* have discovered it by a rigid official cross-examination of the editor and the staff of the *Eclair*,* but they have never, for obvious reasons, attempted anything of the kind—if the person who communicated with the *Eclair* were known, the whole mystery might very probably be unravelled.†

Just as a clever detective can often say for certain what particular burglar has been at work, owing to the nature of the tools that have been evidently used, and the general style of the burglary, so is it perfectly easy to detect the French War Office at work all through this miserable story, by the absolute similarity of the methods pursued by them on the

* It is clear that several persons at the present moment must be perfectly aware of the facts as to the publication of the famous article of September 15th, 1896, in the *Eclair*. The editor of that paper must certainly know through what channel the information upon which the article in question was based, reached his office. Several members of his staff probably know. It is impossible to doubt that a rigid cross-examination of the editor, and of these, would at once elicit the truth. The *Eclair*, like the *Libre Parole*, has, throughout the matter, acted in the interests of the War Office, and has been most violently opposed to the Dreyfus party. It, therefore, cannot be doubted that the editor and staff of that paper would be only too glad, if they had it in their power, to give direct evidence in the matter tending to the credit of the War Office, and the discredit of Colonel Picquart. Why does not the War Office, for the sake of its own gravely imperilled reputation, insist on the production and the examination of these witnesses? Again, the inevitable inference is dead against the authorities.

† Since the above paragraph was written, facts have come to light tending almost certainly to prove that the informant of the *Eclair* was Colonel du Paty de Clam.

various different occasions. One hand was at work all through, and the efforts of that one hand from 1894 to the present moment have been, consistently, to conceal the truth by a series of lies and deceptions.

Notice the falsehoods contained in the article in the *Eclair*, and notice why these falsehoods were told. They were told, every one of them, with the same distinct purpose; to make it absolutely impossible for justice to be done to a man whose guilt, as the authors of the falsehoods perfectly well knew, had not been adequately proved. Who were the authors of the falsehoods, and why were they so deeply interested in destroying Captain Dreyfus? The authors of the falsehoods were the very men who had been instrumental in procuring that officer's unjust conviction, with General Mercier at their head. Their interest lay in concealing, at any cost, their forgeries, their lies, their violations of the law, and in defiantly upholding, "for the honour of the Second *Bureau*," their own nefarious work.

Take now a few of the most glaring out of the many falsehoods told in the *Eclair*:

1.—The *Eclair* stated that Dreyfus had confessed his guilt to Captain Lebrun-Renault, of the Municipal Guard, on the day of his, Dreyfus' degradation.

But it has now been clearly shown that Dreyfus did nothing of the kind. This is proved—

(a) By his repeated and most emphatic words, "I am innocent," quoted even in Government papers, on the very day of his degradation.

(b) By his letters, at the same period, to his wife and to his advocate, Maître Demange.

(c) By the steady refusal of the Government,

though repeatedly challenged, to produce any of the alleged confessions.

(d) By Captain Lebrun-Renault's own statement that he received no such confessions; a statement to which many witnesses of unimpeachable character testify—among them Commandant Forzinetti himself, the former Director of the *Cherche-Midi* prison, in which Dreyfus was confined.

(e) By General Gonse's letters to Colonel Picquart. I have dealt with these in the preceding Section. If there were no other evidence, these letters would conclusively prove that the statements in the *Eclair* as to Dreyfus' alleged confession are perfectly devoid of truth.

2.—The *Eclair* stated that the document containing the expression *cette canaille de Dreyfus*, was in the cipher used by the German Embassy. It is now known for certain that it was not in cipher.

Why was this lie told? It was told, as the next passage in the *Eclair's* article shows, to account to the world for the document not having been shown to Maître Demange, the prisoner's advocate. It would not have been right, the *Eclair* says, to show an advocate this cipher. I wonder exactly why? However, it was not in cipher, which settles the question.

3.—Greatest falsehood of all—the name Dreyfus was printed in full, in the article in the *Eclair*, and in capital letters. I have already alluded to this, which is perhaps the crowning baseness of a conspiracy which has been one long crime. The persons (and who can doubt who they were?) who inspired the article, were not afraid to support their machin-

ations against a man never proved to be guilty, by an infamous forgery. When Paul de Cassagnac wrote in the *Autorité* of December 8th, 1894, the celebrated passage denouncing the former Minister of War as the true traitor,* he went, it now seems, perilously near the truth, though he was far from then seeing the full *portée* of his words.

M. Zola was prosecuted at the instance of the Minister of War. But obviously, in the strict logic and equity of things, it is General Mercier who ought to have been prosecuted at the instance of the Minister of Justice.

XII.

M. CASTELIN'S INTERPELLATION.

THE way having been thus paved for the summary settlement of all awkward questions which might be asked in the Chamber, we are not surprised to find another *coup de massue* dealt out by General Billot, the minister of war, when the time came, on November 18th, 1896, for M. Castelin's interpellation of the Government.

* See Section VII.

General Billot had succeeded General Mercier as Minister of War. He had come fresh to the matter in hand, as M. Zola has pointed out, and he had an admirable opportunity of breaking with an unwholesome tradition, and of doing justice.

How did General Billot avail himself of his opportunity?

By replying to M. Castelin's question as follows :

"Messieurs, la question soumise à la Chambre par l'honorable M. Castelin est grave ; elle intéresse la justice du pays et la sécurité de l'Etat. Cette triste affaire fut, il y a deux ans, l'objet d'un jugement provoqué par l'un de mes prédécesseurs au ministère de la guerre. Justice fut alors rendue. ...

"Le conseil de guerre, régulièrement composé, a régulièrement délibéré, et, en pleine connaissance de cause, a prononcé sa sentence à l'unanimité des voix."

General Billot must certainly have known that this was not true. He must have known that the trial was not "regular," but in the highest degree illegal, owing to the production of a document, or documents, not submitted to the accused man and his advocate. He must also have known that the judges did *not* deliberate with "complete knowledge of the case," for Commandant d'Ormescheville's act of accusation (which I quoted on page 25) proves that General Mercier intentionally concealed from them the all-important facts as to the origin of the *bordereau*.

General Billot continued :

"Le conseil de revision a rejeté, à l'unanimité des voix, le pourvoi du condamné. Il y a donc chose jugée, et il n'est pas permis à personne de revenir sur ce procès.

"Le gouvernement fait donc appel au patriotisme de la

Chambre pour qu'elle n'engage pas un débat qui peut présenter *de très grands inconvénients*, et pour que, dans tous les cas, la discussion soit close le plus tôt possible."

This answer of General Billot's should be remembered, for it is the starting point of the not only unjust, but also most unwise, policy which has ever since been pursued by the Government. Truth cannot be driven underground in this way; or, if its enemies do succeed for a time in imprisoning it underground, it merely there accumulates a stronger and more dangerous explosive force. The evasions of General Billot, and the subsequent evasions of M. Méline, far from closing the discussion "as soon as possible," simply led to the terrible fifteen days' struggle at the trial of M. Zola. And the further evasions, illegalities, and insincerities, of that trial, far from healing the wound first inflicted on the honour of France by General Mercier, merely skinned it over. The wound still festered underneath, and, not having been promptly and honestly dealt with, from day to day disclosed even more dangerous symptoms.

Having regard to the temper of the Government, as indicated by General Billot's response to M. Castelin's interpellation, it is not surprising that Madame Dreyfus' petition, presented at the same time, remained unexamined and unanswered.

XIII.

THE CONSPIRACY AGAINST COLONEL PICQUART.

I OFTEN think that M. Zola, whose experience of life, great as it undoubtedly is, must have been appreciably enlarged by all that has recently happened,—I often think that M. Zola must lately have undergone a species of really acute artistic anguish, as the fact gradually forced itself upon him that, after all, his lifelong literary enemies, the romanticists, were not so wrong in their view of the world as he had previously imagined. A year ago it would have seemed impossible to M. Zola that events precisely analogous to those so lovingly dwelt upon by such writers as Victor Hugo, Alexandre Dumas *père*, and, in a less exalted sphere, Gaboriau, du Boisgobey, and Ponson de Terrail, should actually happen in his own life, and intrude themselves upon him at his own realistic threshold. Yet so it has turned out. M. Zola has been brought forcibly face to face with all the “properties,” as one may say, of one of Hugo’s or Dumas’ romantic dramas, or of one of the sensational novels of the author of “M. Lecoq, the detective.” He has become familiarised with the performances of “veiled ladies,” and he has had to admit that stolen documents, false telegrams, and forged letters do, in fact, form part of the paraphernalia of every day life in Paris at the close of the nineteenth century.

The force of these remarks will be realised when

we come to consider the details of the conspiracy on the part of the War Office, and the enemies of Captain Dreyfus, against Colonel Picquart.

We have seen that for a time the authorities appeared inclined to consider with an open mind the question of the possible innocence of Captain Dreyfus; that Colonel Picquart's doubts had been laid before his chiefs, and that they had seemed to approve of his investigation; and that a remarkable correspondence, from which I have given extracts, had passed between General Gonse and Colonel Picquart.

Then, suddenly, to use Colonel Picquart's expression, "*les choses se gâtaient.*" Things got into a muddle, the misleading article in the *Eclair* appeared, freedom of enquiry was blocked, a Cabinet Council seems to have taken place, and the result of the whole was that an absolutely iniquitous and inverted method of action was resolved upon; a method of action which had for its goal, not the discovery of truth, but the propagation of error, not the conviction of the author of the *bordereau*, but the professional ruin of the single honest military inquirer, Colonel Picquart.

As a first step, it was resolved by that officer's superiors to remove him from his post as Chief of the Intelligence Department.

Exactly on the eve of the Castelin interpellation—this is very significant—Colonel Picquart received orders instantly to leave Paris, "on an important secret mission." What this "secret mission" was, has never been made clear. It is quite apparent

that the real object was to remove from Paris, as quickly as possible, and to as great a distance as possible, the one officer who steadily refused to acquiesce in a policy of evasion and concealment.

Colonel Picquart was compelled to quit Paris in the greatest haste. His "mission" was represented to him as so secret and important that he must not communicate his destination to a single person. All letters were to be sent to him through the War Office (we shall afterwards see the reason for this arrangement). The pretended urgency was such that he had to go without change of toilette, and the authorities subsequently would not allow him to return to Paris, even to provide himself with fresh linen. It is needless to say that the inquiry into the authorship of the article in the *Eclair*, which Colonel Picquart had demanded in writing, was never made.

Colonel Picquart was moved from town to town of France upon various pretexts, till he reached the frontier. This occupied some little time. Ultimately, he was ordered to Africa, and arrived in Tunis on January 13th, 1897.

But in November, 1896, after leaving Paris, Colonel Picquart had received an insignificant letter from a friend, containing the sentence :

"Le demi-dieu demande tous les jours à Mme la comtesse quand il pourra voir le bon dieu."

"Mme la Comtesse" refers to Mlle Blanche de Comminges, a friend of Colonel Picquart, who used constantly to visit at her house. "Le demi-dieu" was a familiar name for Commandant Lallemand, a mutual friend. "Le bon dieu" was a title applied

in the circle of intimate friends who used to meet in the salon of Mlle Blanche de Comminges, to Colonel Picquart.

The letter containing these expressions was secretly opened and copied at the War Office, and then sent on to its destination. Next month—that is in December, 1896—arrives the famous *Speranza* letter. This was a forged document addressed to Colonel Picquart at the War Office and signed *Speranza*. It was intercepted and *kept*. Colonel Picquart was told nothing about it for more than a year; nothing in fact till General de Pellieux's inquiry into the Esterhazy affair began. It was this *Speranza* letter which formed the base of the prolonged machination which had for its object to ruin Colonel Picquart.

On June 3rd, 1897, Colonel Picquart, who was at Susa, received a letter from Colonel Henry,* accusing him of being engaged in a plot, and couched in very threatening terms. Colonel Picquart obtained a fortnight's leave, and came to Paris to consult his old friend, Maître Leblois, as to the matter. He spoke for the first time to Maître Leblois of the Dreyfus case; but, even then, only of a part of it.

On November 7th, 1897, M. Scheurer-Kestner makes his interpellation as to the illegality of Dreyfus' sentence, in the Senate.

Immediately afterwards—that is, on the evening of November 10th, 1897—two forged telegrams are sent from Paris. The first arrived at Susa on November 11th, the second on the morning of November 12th. It is easy to show that these telegrams could

* Who, on Colonel Picquart's departure had been promoted to the post of Chief of the Intelligence Department, though a totally illiterate man.

only have been based on information supplied to the sender of them by the War Office.

The first telegram was as follows :

“ Arrêtez demi-dieu, tout est decouvert, affaire très grave, Speranza.”

It will be remembered that the forged document, which was received at the War Office in December, 1896, which had never been sent on to Colonel Picquart, and which was in the hands of the authorities when the above telegram arrived, was also signed *Speranza*.

The expression “*demi-dieu*” was of course taken from the genuine letter to Colonel Picquart intercepted and copied at the War Office, in November, 1896.

The second telegram was as follows :

“ On a des preuves que le bleu* a été fabriqué par Georges, Blanche.”

“ Blanche” is the Christian name of Mlle de Comminges, the old friend of Colonel Picquart. This lady absolutely denies having ever sent any such telegram, and it is evident that the forger used her name in order to give apparent authenticity to the telegram intended to suggest that the *petit bleu* addressed to Commandant Esterhazy, had been fraudulently manufactured by Colonel Picquart, whose Christian name is “ Georges.”

Esterhazy at the same time wrote to Colonel Picquart ; making the identical blunders in the spelling of the Colonel’s name, and in the address, which were made by the sender of one of the forged telegrams.

*The *petit bleu*, or card-telegram, of which we have spoken previously.

Now notice, for it is very important, what the honest people, who have nothing to conceal, do in this instance, as in every instance throughout the matter.

Colonel Picquart instantly (November 12th) wires to General Laroche who was in command at Tunis, hastens there, takes copies of the two telegrams and of Esterhazy's letters to the General, and writes to the Minister of War in Paris, demanding an enquiry into the matter of the forged telegrams.

He also tells his friend and legal adviser, Maître Leblois, who asks M. Trarieux, Senator and former Minister of Justice, to lay the matter before the Government.

Maître Leblois is also instructed to place, on behalf of his client, a formal complaint in the hands of the procureur of the Republic, and the deposition of Mlle Blanche de Comminges as to the fact of her having been in no way concerned with the forged telegrams, is received.

What more could Colonel Picquart and Maître Leblois possibly do, in proof of their honesty and good faith ?

Notice that, although the telegrams were received by Colonel Picquart at Susa on Thursday and Friday, November 11th and November 12th, the *Libre Parole* is in full possession of information concerning them almost at the moment of their despatch, for that Esterhazian journal refers pointedly to them in its impression of the Tuesday following, November 16th. How did the *Libre Parole* obtain its information ?

XIV.

HOW GENERAL BILLOT KEPT HIS PROMISE TO
M. SCHEURER-KESTNER.

I now come to one of the most interesting and instructive portions of the history ; the intervention of M. Scheurer-Kestner, the venerable Alsatian deputy and former Vice-President of the Senate.

M. Scheurer-Kestner was first interested in the Dreyfus case in July, 1897. He was then made aware of the discoveries of Colonel Picquart, of the opinions (which I have quoted) of M. Bertillon and Colonel du Paty de Clam upon Esterhazy's handwriting and that of the *bordereau*, and of the letters which had passed between General Gonse and Colonel Picquart.

The evidence already collected had a powerful effect upon the mind of M. Scheurer-Kestner, and he decided that it was his duty at once to acquaint the Government with the exact position of affairs. M. Méline has chosen to deny that he ever had any interviews with M. Scheurer-Kestner. M. Scheurer-Kestner, however, states most positively that he saw M. Méline several times "during the first days of November" (1897). "I told him" says M. Scheurer-Kestner, "everything I knew, everything I had learned ; and I offered to communicate to him the contents of the letters exchanged between General Gonse and Colonel Picquart."*

*The Government refused to receive the communication of these terribly damning letters, and so, once more, testified to their extreme importance.

On October 31st, 1897, M. Scheurer-Kestner, full of honest eagerness in the cause of justice, sought out his old friend of twenty-five years' standing, General Billot, the Minister of War.

To use M. Zola's expression, M. Scheurer-Kestner "almost wept in General Billot's arms, and besought him in the name of France to take the matter seriously in hand." M. Scheurer-Kestner's own exact words are—

"Je l'ai supplié de porter toute son attention sur cette affaire, *qui risquait sans cela de devenir extrêmement grave*. 'C'est à vous,' lui disais-je, 'qu'il appartient de prendre les devants; faites une enquête personnelle, ne vous en remettez à personne: il y a dans certains bureaux des dossiers, faites-les venir, n'ayez aucun intermédiaire, faites une enquête loyale.'"

This was on October 31st, 1897. General Billot promised to take a fortnight for careful inquiry into the matter, and then to acquaint M. Scheurer-Kestner with the result. Until the expiration of the fortnight absolute secrecy on both sides was faithfully promised.

But—

"*Le lendemain* de ma visite au ministre de la guerre, dans laquelle je lui avais parlé des pièces, où je lui avais montré ces pièces, le lendemain 1^{er} novembre, *après qu'il avait été bien convenu entre nous que notre conversation serait secrète*, qu'elle ne serait pas ébruitée, qu'on n'en parlerait pas, que vois-je dans les journaux qui sont inspirés par le ministère de la guerre... m'a-t-on dit: ma visite au ministre de la guerre racontée avec des commentaires mensongers!"

It is the same painful and discreditable story over and over again. General Billot faithfully promises a fortnight's inquiry, and a fortnight's secrecy. He makes no inquiry, and the War Office papers are at

once put on the scent, and instructed, or allowed, to overwhelm M. Scheurer-Kestner with the coarsest insults, to call him a German and a Prussian, to insinuate that he has been bribed, and to treat him as an avowed enemy of his country !

During the fortnight, M. Scheurer-Kestner says ;

“ J’ai pu écrire à M. le général Billot : ‘ Nous avons fait une trêve, mais je ne pensais pas que cette trêve tournerait contre moi grâce aux gens qui sont autour de vous, que vous faites agir ou que vous laissez faire.’ ”

“ Je lui ai même signalé des noms d’officiers qui m’ont été indiqués comme ayant apporté des articles de journaux ; je lui ai dit que je ne les garantissais pas, mais que je l’engageais à faire une enquête. *Il prétendit qu’il ferait cette enquête.* Il m’avait répondu qu’après son enquête personnelle il me donnerait des nouvelles ; les quinze jours se sont passés, comme je l’ai dit tout à l’heure, et je suis resté sans nouvelles, *sans réponse.* ”

“ Voilà la vérité. ”

It is easy to understand why General Billot, though summoned as a witness at Zola’s trial, declined to appear. He had ignominiously and completely broken his promise to an old friend, who was manifestly acting, with almost painful earnestness, in the interests of truth and humanity. He could not have denied M. Scheurer-Kestner’s statement without exposing himself to a charge of perjury. He wisely remained away from the Court.

XV.

THE PLOT THICKENS.

NOTICE, at this point, how the plot was thickening.

On October 31st, 1897, M. Scheurer-Kestner calls upon General Billot.

On November 1st, the almost incredibly virulent attack upon M. Scheurer-Kestner commences in the journals inspired by the War Office.

On November 7th, M. Scheurer-Kestner's interpellation in the Senate takes place, and the public excitement increases.

On November 11th and 12th, Colonel Picquart, in Africa, receives the forged "Blanche" and "Speranza" telegrams: which, it will be remembered, were despatched from Paris on the evening of Wednesday, November 10th.

On Monday, November 15th, the three days' savage onslaught upon Colonel Picquart commences in M. Drumont's paper, *La Libre Parole*. It is now known that Esterhazy himself wrote these articles.

On November 16th, we find M. Drumont stating in the *Libre Parole* that Commandant Esterhazy has had a personal interview with him, and confided to him the "facts" of the story.

On this very same day, Tuesday, November 16th, we find M. Drumont in some way made aware of the forged telegrams despatched to Africa on the preceding Wednesday; and we find a pointed suggestion, which was afterwards taken up and improved upon

by the War Office, to the effect that these telegrams emanated from the *entourage* of Colonel Picquart.

On November 17th, we have Commandant Esterhazy's astonishing narrative (not a single word of which he has since been able to substantiate) printed in the *Libre Parole*; the untrue suggestions as to the fabrication of documents by Colonel Picquart; the false statement that Colonel Picquart had bribed two agents, Souffrain and Isaïe Levailant, to assist him in the work; and the elaborate invention as to the manner in which, according to Esterhazy, Dreyfus procured the means of imitating his, Esterhazy's handwriting—through the intervention of a person who is asserted to have procured from Esterhazy voluminous manuscript notes, for the alleged purpose of assisting in the compilation of a history of the Crimean War.

Esterhazy, however, made one remark to M. Drumont which, I have no doubt, contained an absolute truth. He said that "he was thoroughly and completely upset" (*il fut littéralement estomacqué*), when he noticed how like the writing in the facsimiles of the *bordereau* was to his own.

It is perhaps as well in this place to point out to the English reader who has not studied the history from the beginning, that M. Edouard Drumont, the editor of the *Libre Parole*, is also the author of the famous—or infamous—work, *La France Juive*; and that his whole aim, in his paper as in his book, has been to promote the views of those who are endeavouring by the propagation of the most shameless untruths, to obtain the banishment of the Jews from France and Algeria. The motto of his paper—

La France aux Français!—indicates the line he has marked out for himself. The Dreyfus incident has been a godsend to him, and he has naturally become an impassioned supporter of Esterhazy, who now actually represents, to certain minds, not only the honour of the army, but the sanctity of the church! So curiously has this matter become entwined and entangled with political and clerical issues.

On November 12th, Captain Dreyfus' brother, M. Mathieu Dreyfus, calls on M. Scheurer-Kestner, and describes the most interesting separate experience of M. de Castro, the banker. M. de Castro, a stranger, who had never been interested in the Dreyfus case, was walking along the boulevard, when he noticed some facsimiles of the *bordereau* on sale. Having nothing better to do at the moment he bought one, and instantly, to use his own expression when himself relating the incident to M. Scheurer-Kestner later on, "*il eut un éblouissement.*"

M. de Castro, owing to his position as a banker, had been in business relations with Commandant Esterhazy, and had some twenty or thirty of the Commandant's letters at his office.

To use his own words :

"Je suis rentré chez moi, j'ai pris la liasse des lettres d'Esterhazy que j'avais dans mon bureau, et j'ai constaté que je ne m'étais pas trompé: *le bordereau était bien de lui.*"

On November 14th, the Minister of War receives a letter from M. Mathieu Dreyfus, denouncing Commandant Esterhazy as the author of the *bordereau*.

Thus the attack upon Esterhazy, or the War Office (it comes to nearly the same thing, for owing to his intimate knowledge of their shameful secrets,

Esterhazy and the War Office had become one), the attack upon Esterhazy, in reference to the writing of the *bordereau*, developed itself from two perfectly different and independent directions: from the Picquart quarter and from the Castro quarter.

At this point, another witness, of the most unchallenged character and veracity, steps in: M. Trarieux, the former Minister of Justice.

He had not, he tells us, followed the details of the Dreyfus *procès* of 1894. But in the years 1895 and 1896 he became troubled. The question of the secret documents pained him, and he clearly discerned the fallacies of Commandant d'Ormescheville's report, and the absurdities of M. Bertillon's.

He compared notes with M. Scheurer-Kestner, and the net result of the matter was that on December 18th, 1897, M. Trarieux went to see M. Milliard, the Minister of Justice. M. Trarieux put the facts clearly before him. (I wonder exactly how often these undeniable facts have been set before responsible French Ministers since the year 1894, always with the same result, darkness, concealment, evasion, untruth, silence.)

M. Trarieux clearly stated the facts, dwelling especially on those relating to the forged letters and telegrams which had been dispatched to Colonel Picquart. They struck, or appeared to strike M. Milliard, and he promised to consult the prime minister M. Méline on the matter.

As M. Trarieux pointed out, there had been at the very least a crime three times repeated, in the *Speranza* letter of 1896, and in the *Blanche* and *Speranza* telegrams of 1897.

On December 23rd, the Minister of Justice informed M. Trarieux that M. Méline had spoken to General Billot, who had promised to have the text of various letters brought him, and to compare them with the handwriting of the *Speranza* letter.

On December 28th, the Minister of Justice sent for M. Trarieux, and conveyed to him that General Billot did not think Colonel Picquart's suspicions justified.

On January 4th, 1898, Colonel Picquart, in utter despair of ever obtaining any real answer or adequate inquiry, placed in the hands of the procureur of the Republic his action for libel contained in articles in the public papers, bearing upon the three above-mentioned documents: the *Speranza* letter, the *Speranza* telegram, and the *Blanche* telegram.

A week went by, but nothing was done.

On January 10th, 1898, the Esterhazy Court Martial assembled. But Commandant Ravary, in his report—the report which M. Zola rightly described as *un impérissable monument de naïve audace*—carefully abstained from the slightest allusion to the questions of the forged letter and the forged telegrams; changed his inquiry from an examination of the evidence against Commandant Esterhazy into an undisguised impeachment of Colonel Picquart; and, in his reference to the admitted abstraction of a State document from the War Office, endeavoured in the most underhand and unworthy manner to support the fictitious narrative implicating Colonel Picquart, which had been originally arranged and set in circulation by Esterhazy and his editorial ally, M. Edouard Drumont.

XVI.

HOW TO STEAL DOCUMENTS FROM THE WAR OFFICE.

WHAT did General de Boisdeffre reply when, at the trial of M. Zola, Maître Albert Clemenceau asked him the very natural question whether it seemed to him a right and fitting thing that valuable secret documents should be taken from the drawers of the War Office, and travel about Paris at discretion.

General de Boisdeffre's answer was: "I have nothing to say in reply to that."

General de Boisdeffre apparently thought it quite natural that a document of such importance that he himself characterises it as a document involving secrets of "State," should walk out of the War Office, be paraded about the streets of Paris by a "veiled lady," be given by this lady into the hands of Esterhazy, an officer at that moment under accusation of high treason, in order to assist him at his coming trial—and should then be quietly returned to the War Office by Esterhazy, and a receipt given to him for it! The real fact of the matter is that, in all the annals of military investigations, probably nothing more abnormal and more improper has ever happened. And remember that the thing is proved; I am not speaking of mere matters of hearsay, or newspaper reports. The Generals, when under cross-examination in Court, were compelled to admit that a document of State importance had unaccountably—so they put it—

removed itself from the War Office just at the moment when Esterhazy needed it, had been in some way placed in his hands, and had then been returned by him to the War Office, where a receipt was given to him.

It is impossible to help seeing that all this indicates with positive certainty that the authorities at the War Office were most deeply interested in Esterhazy's acquittal, and directly connived at it. This episode in itself fully justified the spirit, if not the actual words, of Zola's accusations against the military party in reference to Esterhazy's trial. He asserted that Esterhazy had been "acquitted by order;" and the facts connected with the episode of the *document libérateur* are in themselves an ample proof of this.

But it is easy to see that if the natural inference be drawn from this episode, the most terrible consequence follows. It follows, incontrovertibly, that the French War Office itself was guilty, *before* his trial, of complicity with an officer accused of high treason; which, of course, amounts to saying that the authorities at the War Office were themselves traitors, or, at the very least, utterly unreliable in matters concerning the investigation of suspected treason.

This is, in fact, precisely what M. Zola and his friends did say: and conclusive later evidence has shown that it is the truth. It is, therefore, not surprising that the whole of France should have been plunged into a state of nervous agitation amounting almost to a wide-spread insanity of the people. No one knew what might come out next,

or who might be accused, if M. Zola were permitted to continue applying his pitiless method of scientific criticism to the performances of French ministers and generals.

XVII.

THE UNKNOWN FACTOR IN THE MATTER.

THE contents of the last section will have brought the student of the subject face to face with what, speaking critically, is the most interesting and difficult question in the whole affair—viz: what motive had the generals for thus shielding and assisting Esterhazy? Why did they fail to arrest him, when accused of high treason, though they at once arrested his accuser Colonel Picquart, on trumped up charges, and closely confined that officer in Mont Valérien? Why did General de Pellieux, at the trial of Esterhazy, reject the evidence of M. Autant and M. Mathieu Dreyfus, neglect to summon the witnesses suggested by Colonel Picquart, and refuse to hear the scientific evidence as to the authorship of the *bordereau* (though that was the very point in question)? Why was Commandant Ravary's report to the judges at the Esterhazy Court Martial almost indecently one-

sided and inadequate? Why, as narrated in the last Section, was the document that was to save him placed in the hands of the accused man by the very persons responsible to the French nation for doing impartial justice in the matter? In one word, why were the chiefs of the French army afraid of Esterhazy?

Those are the questions which, as the late Signor Cavalotti discerned clearly, are really the most serious and imperative of all. The welfare of France, and the honour of the French army, depend upon their being promptly and loyally answered.

In order to show, with the most biting emphasis, how staggering a thing it is to find the chiefs of the French General Staff supporting Commandant Esterhazy, linking their arms with his in brotherly familiarity, and speaking as if his "honour" were a synonym for the honour of the French army, I will now give a few extracts from his acknowledged letters. Commandant Esterhazy admitted their authenticity in the presence of his cousin, Madame de Boulancy, and General de Pellieux.

From a letter in reference to the French army :

"... Les Allemands mettront tous ces gens-là à leur vraie place avant qu'il soit longtemps."

From another letter on the same subject :

"... Voilà la belle armée de France ! C'est honteux ! Et si ce n'était la question de position, je partirais demain. J'ai écrit à Constantinople : si on me propose un grade qui me convienne, j'irai là-bas : *mais je ne partirai pas sans avoir fait à toutes ces canailles une plaisanterie de ma façon.*"

From another letter :

"... Nos grands chefs poltrons et ignorants iront une fois de plus peupler les prisons allemandes."

From a letter relating to a former mistress of Esterhazy's :

"... Je suis à l'absolue merci de cette drôlesse, si je commis vis-à-vis d'elle la moindre faute. Et c'est une situation qui est loin d'être gaie. Je la hais, tu peux m'en croire, et donnerais tout au monde pour être aujourd' hui à Sfax et l'y faire venir. *Un de mes spahis, avec un fusil qui partirait comme par hasard, la guérirait à tout jamais.*"

The letter from which I next quote is the famous "Uhlán letter." Commandant Esterhazy denied the authenticity of this, but it was afterwards legally proved by the magistrate, M. Bertulus, that this letter also was written by the Commandant. He has a singular taste for writing letters that compromise himself.

"Je suis absolument convaincu que ce peuple ne vaut pas le cartouche pour le tuer... Si, ce soir, on venait me dire que je serais tué demain comme capitaine de uhlands, en sabrant des Français, je serais parfaitement heureux.

"... Comme tout cela ferait triste figure dans un rouge soleil de bataille, dans *Paris pris d'assaut et livré au pillage de cent mille soldats ivres.*

"*Voilà une fête que je rêve.*

"*Ainsi soit-il !*"

Compare this with the following extract from another acknowledged letter :

"*Ces canailles auraient besoin du bois de la lance d'un uhlan prussien pour savoir comment l'on traite les soldats.*"

Compare also with the following, from an admitted letter :

"*Si les prussiens arrivaient jusqu'à Lyon, ils pourraient jeter leurs fusils, en gardant seulement leurs baguettes pour chasser les français.*"

These are extracts from only a few out of many admitted letters, all equally abominable.

After reading them, one is not surprised that M. Huret, the representative of the *Figaro*, when he made his visit of inquiry to Rouen, found the officers of Esterhazy's regiment,* which was quartered there, in no way astonished at the suspicion of treason that had fallen upon their brother officer,—“the *rastaquouère* of the French army,” as they designated him.

But why did the French Generals strain every nerve to defend and whitewash the writer of such letters?

XVIII.

ZOLA *versus* FRANCE.

WHEN the din and turmoil of the extraordinary trial in which M. Emile Zola was so conspicuous a figure had time to die away, it became possible, at any rate in England, to form some definite idea of what really took place; as distinct from what was represented by the interested portion of the Parisian press to the Parisian mob, and to uninstructed French provincial readers, as having taken place.

*The 74th of the line.

Amid the mass of confused and contradictory evidence which inevitably presented itself when, as in M. Zola's trial, more than fifty witnesses were examined in reference to a passionately disputed issue, certain fixed points emerged, certain permanent features after a time shaped and defined themselves. It is to two of these that I propose to draw attention in the present section.

1.—The perfect good faith of M. Zola may be regarded as beyond dispute. He was fighting against France for the sake of France, and against certain chiefs of the army for the sake of the army itself. This was testified to at the trial by a number of absolutely honourable and unimpeachable witnesses,* but there was never any real doubt of it in the minds of those who have learned to understand M. Zola's true personality through the patient study of his three volumes of Prose Essays; *Mes Haines*, *Le Roman Expérimental*, and *Les Roman-ciers Naturalistes*. All who have read those volumes have learned to know M. Zola as a very distinct person from the author of *Nana* and *L'Assommoir*. They know that he loves truth and hates humbug with a thoroughly English love and hate; that he is a scientific critic of the keenest and finest order; and that his patient *méthode scientifique*, if applied to politics, would be likely *a priori* to elicit some very interesting and surprising results. It is an awkward thing for a nation when a man of letters, who has passed a great part of his life in the patient and minute study of documents, insists upon

* Of whom the well-known writer and member of the French Academy, M. Anatole France, may stand as an example.

applying his terrible *méthode scientifique* to the mysteries of Government *bureaux* and the proceedings of secret military tribunals.

But, above all, those who have followed step by step in M. Zola's *La Débâcle*, his complete and unflinching exposure of the causes which led to the disastrous break-down of the French army in 1870, thoroughly understood two things. First, they understood from the evident character of the man who penned *La Débâcle*, the assuredly patriotic motives which were inspiring him at the present moment. Secondly, such students thoroughly realised from the very first that the French generals of to-day, who have never forgiven Zola for telling the world the whole truth in reference to their predecessors of 1870, would, if a chance were offered them, positively leap at their revenge.

So, indeed, it turned out. M. Zola was hunted down by the military chiefs even more as the author of *La Débâcle* than as the friend of the Jew, Dreyfus. That is a very important point to remember.

2.—The next point which emerges with intense clearness, as we look back on the fifteen days of the unique trial, is the fact that M. Zola challenged overwhelming numbers in defence of a man whom he passionately believed to be absolutely innocent of the crime imputed to him, and that the Government and the Army did not accept his challenge. They showed manifest and distinct fear. They were afraid of M. Zola, or, more properly speaking, they dreaded the rays of the torch which M. Zola bore in his hand. M. Zola brought against them a series of

the most explicit and terrible accusations relating to the trial and condemnation of Captain Dreyfus. He also brought against them a minor accusation relating to the Court Martial upon Commandant Esterhazy. The Government, knowing only too well the weakness of their position in regard to the trial of Dreyfus, left the bulk of Zola's letter absolutely unnoticed. They made no attempt to reply to the real indictment. Nay more, they so arranged matters that, with the help of a subservient and unjust judge, they were able, by taking up and citing only fifteen lines of M. Zola's letter of some seven columns, to obtain a sentence of fine and imprisonment for their antagonist without ever allowing him really to enter upon the true matter at issue at all. This was a piece of legal chicanery utterly unworthy of any Government, and that the French Government should have stooped to it is most deplorable. One has only to read the comments which have appeared since the trial in German papers, in Belgian papers, in English papers, and, notably, in Russian papers—indeed, all over the world—to see how strongly this is felt in all countries other than France.

Therefore, it has to be borne always in mind that M. Zola's accusations are still unreplied to. All the evidence relating to the Dreyfus matter that *was* produced was, so to speak, dragged out of the darkness through the will-power, and the legal skill of Maître Labori, Zola's advocate, who fought for fifteen days with incomparable determination against a previously arranged system of obstruction of the most dogged and resolute kind.

XIX.

THE EVIDENCE OF M. ZOLA'S EXPERTS.

WHEN we come to the question of the handwriting of the *bordereau*, we are on certain and scientific ground. This question was hardly touched upon in the English papers, but it is one of the most interesting, and the most vital in the whole matter,

Let no one think that this portion of the case even at the time of Zola's first trial, still rested in hopeless obscurity, and that nothing whatever was proved. On the contrary, a great deal was proved and made absolutely clear. It was proved that the evidence of the experts as against Captain Dreyfus at the trial of 1894 was practically worthless; and it was proved that the handwriting of the *bordereau* was either that of Commandant Esterhazy, or almost miraculously similar to it.

Bear in mind that at the trial of Captain Dreyfus in 1894 there were five experts examined. Of these two* were not convinced that the writing on the *bordereau* was that of Dreyfus; the other three† believed that it was. Here at the very commencement of the case we have marked difference of opinion—a difference of opinion which should have been sufficient even at that date to assure honest and

*M. Pelletier, and M. Gobert, expert of the Bank of France.

†M. Charavay (who, at Zola's trial, frankly stated his opinion that no man ought to be condemned on expert evidence alone), M. Teyssonnière (who was proved to be quite untrustworthy), and the now famous M. Bertillon (who altogether broke down under cross-examination).

sensible judges that the expert evidence against the accused was a very doubtful ground to go upon.

But much more than this was proved at M. Zola's trial. A mass of evidence was accumulated on the positive, as opposed to the mere negative side. M. Zola called expert after expert, all men of high position, unchallenged integrity, and of marked science and learning, who, after a series of the most patient and exhaustive experiments, had come absolutely to the opinion that the *bordereau* could have been written by no other person in the whole world but Commandant Esterhazy.* These witnesses were :—

1. M. Paul Meyer, Director of the *Ecole des Chartes*, Professor at the College of France, Member of the Institute. He said :—

“Eh bien, je suis obligé de dire, moi qui n'ai confiance qu'en ce que je puis vérifier, que je maintiens absolument mes assertions ; c'est l'écriture du commandant Esterhazy ; si les experts ont dit le contraire, ils se sont trompés, et, si on veut me confondre, qu'on m'apporte le *bordereau*.”

2. M. Auguste Molinier, professor at the *Ecole des Chartes*. He said :—

“Je crois pouvoir affirmer, en mon âme et conscience, que, dans les lettres, j'ai retrouvé toutes les formes principales physiologiques du *bordereau* dans l'écriture du commandant Esterhazy.

3. M. Emile Molinier, brother of the preceding witness, and professor at the *Ecole du Louvre*. He said :—

*This most important group of witnesses would of course have been called and most patiently examined at the Esterhazy Court Martial, by judges having any pretence to fairness or candour. The fact that they were not so summoned, but deliberately excluded, is one of the strongest evidences that M. Zola was right, at all events in the spirit of his charge, when he accused the military judges at Esterhazy's trial of having acquitted that officer “by order.”

“ Je dirai même que si un savant, si un érudit, trouvant dans un volume de la Bibliothèque nationale, dans un de ces volumes que nous consultons tous si souvent, accolé à des lettres du commandant Esterhazy, l'original du bordereau, il serait pour ainsi dire *disqualifié* s'il ne disait pas que le bordereau et la lettre sont de la même écriture, sont de la même main, ont été écrits par le même personnage.”

4. M. Célerier, professor at the College of Fontenay-le-Comte. He said :—

“ Il n'y a absolument qu'à ouvrir les yeux pour voir la chose ; c'est absolument la même écriture.”

5. M. Louis Franck, a Brussels lawyer, who had looked most carefully into the matter for his own personal satisfaction, and had been asked by the defence to give his evidence. He said :—

“ Ces deux écritures émanent d'une seule et même personne, et celui qui a écrit le bordereau ne peut être que M. Esterhazy, lui seul au monde.” (Mouvement).

6. M. Louis Havet, Professor at the College of the Sorbonne. He said :—

“ Le bordereau diffère totalement des lettres du capitaine Dreyfus....Le bordereau a été, non pas seulement écrit par le commandant Esterhazy, mais il a été pense, rédigé par le commandant Esterhazy lui-même ; le texte est de lui, le style du bordereau est du commandant Esterhazy, et l'écriture, par-dessus le marché, est du commandant Esterhazy.”

7. M. Paul Moriaud, Professor of the Faculty of Law at Geneva. He said :—

“ Soyez certains que si on se refuse à le reconnaître aujourd'hui, un jour viendra, où les savants s'empareront de ces pièces et diront que M. Esterhazy a écrit le bordereau, cela ne fera l'objet d'aucun doute quelconque.”

8. M. Giry, Professor at the *Ecole des Chartes*, Member of the Institute. He said :—

“ J'ai fait la comparaison dans l'ensemble et dans le

détail, j'ai fait l'analyse la plus minutieuse, mot par mot, lettre par lettre, syllabe par syllabe ; j'ai comparé les signes accessoires de l'écriture, la ponctuation, l'accentuation, et soit que j'aie considéré le détail, soit que j'aie considéré l'ensemble, je suis arrivé toujours à la même conclusion.

" Il existe entre l'écriture du bordereau et l'écriture du commandant Esterhazy une ressemblance, une similitude qui va jusqu'à l'identité."

9 & 10. M. Bournon, "archiviste paléographe" and Dr. Héricourt, "chef adjoint du laboratoire de physiologie de la Faculté de médecine," gave evidence precisely to the same effect.*

It is difficult to exaggerate the importance of these witnesses' testimony. They were bullied by the judge, every possible effort was made on the part of the generals and the Government to gag them and to hinder them from speaking out, every conceivable difficulty was put in their way. None the less, every honest critic who took the trouble to read carefully from end to end in the French journals even the dwarfed and truncated evidence which Zola's experts were allowed to give, arose from that perusal with the strongest possible conviction that the writing of the *bordereau* bore the most extraordinarily close resemblance to that of Esterhazy. The good faith of M. Paul Meyer, M. Moriaud, M. Louis Franck, and their companions, was so manifest ; their scientific care and precision had been so undoubted,

*Taking the three trials together, there were in all eighteen experts examined : five at the trial of Dreyfus in 1894, three at the trial of Esterhazy, and ten at M. Zola's trial. Of these, twelve were opposed to the views of the military chiefs. It follows, therefore, that the generals went directly in the teeth of two-thirds of the experts examined ; these two-thirds, moreover, including MM. Gobert and Pelletier, two of their own experts.

their evidence stands out in such clear relief against that of their antagonists the Government experts, who, when repeatedly challenged, as repeatedly refused to give any positive evidence at all, simply and invariably taking refuge in the fact that the original of the *bordereau* had not been seen by the witnesses for the defence, who had been compelled, greatly against their will, to work from photographs.

A word or two as to this point: the only point in which the witnesses for the Crown had even a show of justice with them. It was true that Zola's experts had to work from facsimiles. But, first of all, the experts for the Government at the trial of Dreyfus in 1894 also worked to a considerable extent—I am under the impression that they worked almost entirely—from photographs. The *bordereau* was at that time considered far too sacred a document to expose to the gaze of the vulgar. Secondly, it was proved beyond all doubt at the trial of Zola that the best facsimiles, though of course not equal to the original, did none the less give a quite sufficiently correct idea of the original to afford a sound basis for scientific examination, and scientific inference.* I took the trouble to read most carefully all the evidence pro and con upon this point; and I say without a shadow of doubt that it was conclusively shown that the best facsimiles were quite good enough to work from. It is impossible here, of course, to reproduce all the scientific evidence. But the following passage from M. Paul Meyer's letter, written immediately after the trial to the Editor of

*General de Pellieux, when pressed by Maître Labori, himself admitted that the reproduction in the *Matin* was a good one.

the *Eclair*, is exceedingly important, and goes straight to the point. It will be remembered that M. Paul Meyer is the director of the *Ecole des Chartes*. He was absolutely of opinion that the *bordereau* was the work of Esterhazy.

He wrote :—

“ Il suffit de jeter les yeux sur la sténographie de nos dépositions pour constater que nous avons exprimé le regret de n’avoir pas eu à notre disposition l’original du document sur lequel portait la discussion. Mais M. de Lasteyrie* sait comme nous que l’existence des originaux est un fait exceptionnel, et que la critique n’est pas désarmée par leur absence.

“ Où en serait l’histoire si l’on devait renoncer à se servir de tous les documents dont les originaux ont disparu ? Pour ne citer qu’un exemple, M. de Lasteyrie n’ignore pas que l’un de nos confrères, qui fut l’honneur de notre Ecole, a pu reconstituer et interpréter une écriture chiffrée du dixième siècle, connue seulement par de médiocres dessins du dix-septième, qui ne valaient certainement pas le fac-similé du fameux *bordereau* ; lui serait-il venu à l’esprit de contester l’évidence de cette brillante découverte sous le fallacieux prétexte que Julien Havet n’avait pas consulté les originaux, depuis longtemps disparus, des lettres de Gerbert ?...

“ Nous avons reconnu que l’original aurait permis certaines observations qu’il n’était pas possible de faire sur un fac-similé ; mais nous avons estimé et nous estimons encore que celui-ci nous permettait de juger de la physionomie générale de l’écriture et de la forme des lettres, ce qui était suffisant :

“ 1. Pour y reconnaître une écriture courante, naturelle, non mélangée, et exclure en conséquence toute possibilité d’un décalque par des mots rapportés ;

*M. de Lasteyrie, a member of the Institute, had represented to M. Paul Meyer that experts should always avail themselves of original documents.

"2. Pour identifier cette écriture avec celle du commandant Esterhazy, que nous avons pu étudier sur des fac-similés zincographiques, des photographies directes et des originaux."

And, in the course of his most careful and scientific deposition at Zola's trial, M. Paul Meyer said :

"Ces fac-similés sont faits par le procédé qu'on appelle dans l'industrie le procédé du gillotage.

"C'est du zinc en relief: on fait mordre le zinc a certains endroits et on obtient un relief. Lorsqu'on tire un cliché comme cela à la machine rotative, le zinc s'écrase un peu. Il en résulte que tous les traits s'empâtent, que l'œil de certains lettres devient plein. Mais, comme ce genre d'altération est prévu, *on peut l'escompter, en tenir compte*, et toute personne qui voudra comparer des écritures reproduites d'après ce procédé devra s'abstenir de faire porter son argumentation sur la différence des pleins avec les déliés. Le procédé n'est pas fameux, mais remarquez qu'il a cet avantage d'être bon marché. Et puis, je ne crois pas qu'il comporte facilement des retouches; c'est donc une garantie de sincérité.

"Par conséquent, en somme, *cela n'altère en aucune façon la direction des traits et la forme des lettres.*"

Plenty of other evidence was produced to the same effect, but I think these extracts suffice to make the matter perfectly clear. Beyond doubt, the facsimiles were good enough to work from.

Moreover, if it is true that the original *bordereau* is quite different from the facsimiles, * why did not the Generals produce it, and so by one decisive stroke destroy the whole case as presented by M. Zola's experts? The old flimsy excuse that the *bordereau*

* Some of which, by the way, there is good reason to believe found their way into the papers through the medium of M. Teyssonnière, one of the Government experts.

is an important state document, and that, if it were produced, the German Ambassador would at once leave Paris, no longer holds good. The contents of the *bordereau* had long since become public property through the newspapers. Facsimiles of it had for months been flying about Paris, and the whole world had become thoroughly cognizant of the wonderful secrets of the 120 gun, the *frein hydraulique*, the *manuel de tir*, and the movements of the covering troops. Why not produce the *bordereau*—in the judge's private room, if still considered expedient, before only the jury, the judge, the counsel for the defence, and the counsel for the prosecution? Why not do this, and so crush the friends of Dreyfus utterly by once for all demonstrating that the arguments of the experts for the defence were worthless, as being based upon worthless facsimiles?

I fear there is only one possible answer to this obvious question, only one possible inference to be drawn from the flat refusal of the Generals, when challenged by Maître Labori, to produce a paper which, if their account of it was true, would have been to them an immediate flag of victory. They dared not produce it, though their direct interest lay in producing it, because their account of it was *not* true. They dared not submit it even to the judge, the jury, and the counsel, because an examination of it in the honest sunlight would at once have shown that the facsimiles and the *bordereau* are in truth, as all sensible persons realised at an early stage of the trial, and as Maître Labori rightly insisted, practically one and the same thing.

There is another point of capital importance, which

stands out among many other points, for the matter is a very large and complicated one. Among these many points, the following, as I say, stands out in relief: M. Bertillon's * written deposition at the time of Dreyfus' trial is completely destructive of the position taken up by the official defenders of Esterhazy.

I quote from M. Bertillon's deposition :

“ En effet, les coïncidences étaient trop nombreuses pour laisser le moindre doute sur l'identité des deux écritures. J'ajoute même qu'elles étaient beaucoup trop nombreuses et que l'esprit était stupéfait d'être amené à constater avec toute évidence qu'un homme, incontestablement très instruit et très intelligent, avait pu écrire un billet de cette gravité *sans déguiser manifestement son écriture*, à l'exception du double s, que j'avais signalé dès le premier jour, mais dont l'explication psychologique (qui se rattache à l'ensemble de son plan de trahison) m'avait échappé.

“ Par quel plan machiavélique, ce criminel comptait il donc se défendre en cas de découverte, car il était inadmissible qu'il ne se fût pas ménagé une retraite, pratique ou non ? ”

That is to say, M. Bertillon's deliberate written opinion in 1894, given to the judges at the Court Martial and, we may presume, most powerfully operative upon them, was quite distinctly to the effect that the handwriting of the *bordereau* was Dreyfus' own handwriting slightly disguised, or indeed hardly at all disguised.

But in 1898, the opponents of Dreyfus had to take exactly opposite ground. Their one effort was to prove that Dreyfus deliberately imitated or traced

* It will be remembered that M. Bertillon was the chief expert witness against Dreyfus in 1894. His deposition was supposed to be the unanswerable and crushing one.

the handwriting of Esterhazy, and in this way to account for the astonishing resemblance of the handwriting on the *bordereau* to the handwriting of Esterhazy, a resemblance which it was no longer possible for any competent critic to deny. Thus they completely cut away the ground from under their own feet. If Dreyfus, as they universally alleged in 1898, intentionally counterfeited the handwriting of Esterhazy, in order to provide a way of escape for himself if detected, he most certainly did not write the *bordereau* in his own natural hand, as M. Bertillon so confidently assured the Court Martial in 1894. As regards the question of handwriting, the position of the Government in 1898 and their position in 1894 were mutually destructive.

It is also worth while to notice how the man upon whose supposed ability the Government chiefly relied in the Dreyfus trial, reasons in the above extract. M. Bertillon puts me painfully in mind of Porthos in Dumas' "Three Musketeers," his logical power is so stupendous !

He reasons as follows :

"To employ one's undisguised handwriting is really too stupid of a criminal. Yet this criminal *must* have had some plan of retreat to fall back upon. What then was his Satanic device ? "

After this, we are not astonished that the production of M. Bertillon's wonderful *schéma*, or "skating-rink" as it has been called, so hugely amused the whole court ; that is to say, everyone in it except the rigidly silent and unbending Advocate-General, M. Van Cassel.

XX.

THE FLIGHT OF THE ARMY.

At the trial of M. Zola before the Assize Court of the Seine an almost unique example occurred of the struggle of one man—himself represented by a small group of determined and thoroughly united men and women—against what practically amounted to a whole nation. For the army and the Government constitute the nation in France; and the army and the Government, for their own private reasons, were dead against M. Zola and his friends, in his heroic attempt to deliver from condign punishment a man whom he honestly believed to be innocent, and to throw light into the very innermost recesses of a most dark and deplorable story.

The army has necessarily immense power and influence in France, and when the whole army, backed by the Government, unites to suppress facts—facts of an extraordinarily important nature—it is next to impossible for any private individual, even as resolute, as able, and as influential as M. Emile Zola, to break down that conspiracy of silence. Be it remembered that if, as in the Dreyfus case, the superior officers of the French army determine to maintain an obstinate and complete silence as to all the really crucial facts of the matter, not a single subaltern can speak. The silence becomes as deadly and ironbound as the silence of the frozen Pole.

Absolutely no answer was given at the first trial

by the Government or the Army as to whether Captain Dreyfus had been condemned on the strength of a secret document which was never shown to him, or his advisers. The indignation felt by all honest and upright people in France at this continued and most culpable reticence was admirably expressed by M. Thévenet, the former Minister of Justice, in his deposition, the most important portion of which I quote *verbatim* in the next Section.

Nor was any answer whatever given to the questions as to the attempt made to obtain from Dreyfus by most irregular and improper means admissions of his guilt. On the contrary, the evidence as to this which M. Zola offered to produce was deliberately "boycotted" by the Court; "boycotted" in a way, which, from our English point of view of what constitutes fair play to the accused, was absolutely indecent and shameless. Madame Dreyfus was not allowed to give evidence on this point. In the name of ordinary common sense, why not? Can it be pretended for a single moment that her evidence as to this could have disclosed any secret relating to the "national defence," or have incurred the risk of the withdrawal of the German Ambassador from Paris?

On the other hand, it is only too evident that if the judge had allowed Commandant Forzinetti (the Governor of the prison in which Dreyfus was confined), Captain Lebrun-Renault, and the whole group of witnesses connected with the matter, to be examined and fairly questioned—as most earnestly and repeatedly entreated by M. Zola and his counsel—facts would certainly have been elicited

strongly confirming Madame Dreyfus' and M. Zola's statement as to the iniquitous and illegal means employed by the military authorities, in order to wrest a personal confession from Captain Dreyfus after his condemnation. No honest observer, quietly studying the matter from a distance, can doubt that if the evidence to be given by these witnesses had been favourable to the army, it would have been instantly produced. It was most unjustly suppressed because it would have greatly strengthened the case of those who believe in the innocence of Dreyfus, and would (going a step further) have completely established the case of those who believe that most dishonourable methods were adopted in this lamentable matter by the military chiefs.

But take a broader view of the case. Is it not perfectly evident that the real struggle has been between the rights of private citizenship* and the rights claimed by a military hierarchy? It is from this point of view that the struggle is so interesting to us in England. We cannot help feeling that here in England the claim of the French military witnesses summoned by MM. Zola and Perrenx to regard themselves as a special caste, and to consider themselves practically above the ordinary law, would not have been tolerated for a single moment. When summoned, they first of all, in a body, sent letters flatly refusing to appear. M. Zola and his counsel persisted in their application, and the refractory generals and officers were compelled

* See letter of Committee of "The Personal Rights Association" to M. Yves Guyot, published in the *Siècle* of February 27th, 1898.—See also *Siècle* of May 1st, 1898.

to yield to the extent of at any rate appearing in Court.

But, when they appeared at the bar—or, as we should say, were placed in the witness-box—matters were little, if at all, better; for they one and all refused to answer the simplest questions on the ground of “professional secrecy,” or on the ground that the questions in some way or other related to the *affaire Dreyfus*. Indeed, in the case of one of the most important witnesses, Lieutenant-Colonel du Paty de Clam, even the flimsy pretext of the duty of professional secrecy was not put forward. Colonel du Paty de Clam flatly declined to answer questions that were unpleasant to him, because, he said, they related to private matters concerning himself and his friends, into which he did not wish to enter. In this refusal he was supported by the president of the Court.

It thus became absolutely impossible for M. Zola to prove many of his principal points. I should imagine that there never has been, in the whole course of history, a great trial conducted with more glaring unfairness to the person accused. The contrast between the attitude of Zola and his counsel, and the unfortunate Madame Dreyfus, only asking for fair play and “light,” and the attitude of the almost omnipotent French army and Government steadily endeavouring to obscure light, to conceal facts, and to hinder those who would throw light upon facts, was to an English observer intensely painful.* It almost compelled one, apart from all

* As an English former Attorney-General, when commenting upon the matter to a friend, observed: “If such proceedings had taken place in England, we should have thought ourselves transported three hundred years back, to the time of the Star-Chamber!”

other evidence, to believe that M. Zola was right when he said of these bestarred and brilliant officers :

“ J'accuse le premier Conseil de guerre d'avoir violé le droit en condamnant un accusé sur une pièce restée secrète, et j'accuse le second Conseil de guerre d'avoir couvert cette illégalité par ordre, en commettant à son tour le crime juridique d'acquitter sciemment un coupable.”

In order to realise the true state of the matter with absolute clearness, let us return for a moment to the case of Colonel du Paty de Clam. What had Zola said about him ? Zola had accused this officer, in the plainest manner, in the famous letter to the *Aurore*, of the most dishonourable and rascally conduct. Zola wrote as follows :—

“ J'accuse le lieutenant-colonel du Paty de Clam d'avoir été l'ouvrier diabolique de l'erreur judiciaire,* en inconscient, je veux le croire, et d'avoir ensuite défendu son œuvre néfaste, depuis trois ans, par les machinations les plus saugrenues et les plus coupables.”

There is an accusation to be hurled by a private citizen in the teeth of a French officer ! But now note the difference between the French way of regarding these matters and our own. Zola, after having publicly made the accusation, says in effect : “ If you, Colonel du Paty de Clam, will appear in the witness-box and submit to be cross-examined by me and my counsel, and if I am permitted to call and cross-examine certain witnesses—not about secrets concerning the national defence, but about matters quite foreign to that subject—I will engage to prove that my accusation is true.”

* This *erreur judiciaire* means the condemnation of Dreyfus by the first Court Martial.

That is what in England we should call quite fair and straight. But, now, how do Colonel du Paty de Clam and the military party in France behave? First of all, acting in accordance with his instructions, Colonel du Paty de Clam declines to appear altogether. Next, when compelled for form's sake to appear, still, of course, acting under the orders of his chiefs, he declines to answer a single question! And the judge, acting no doubt under the orders of the Government, supports him in this course, referring every question, on the most flimsy pretexts, to the *chose jugée*, that is, to the *affaire Dreyfus*!

Now was not this, from our English point of view—and really, I think, from a healthy human point of view—perfectly monstrous? Let us put the matter before ourselves with the most rigid and unanswerable clearness by considering what would happen here in England if one of our prominent novelists published a letter in the “Daily Telegraph,” or the “Morning Post,” addressed to the Queen or Prime Minister,* and accusing one of Lord Wolseley's officers of “having upheld his wicked work for three years by a series of the most dirty and disgraceful plots.” And suppose, in addition, that the prominent English novelist had in the same public manner accused five distinguished English generals of most unsoldierlike and dishonourable conduct. Would not the British nation insist with one voice that the entire matter should be sifted to the bottom, and that—this is the important point—for the sake of

* M. Emile Zola's letter of accusation, published in the *Aurore*, was addressed to M. Félix Faure, the President of the French Republic.

the honour of the British army itself? Would not Lord Wolseley most absolutely and determinedly so insist? Would not the House of Commons so insist? Would not the accused officers and generals themselves, for the sake of their own honour, so insist?

I think there can be but one answer to these questions. Here in England, if a private citizen made such definite accusations in the columns of any one of our papers, and offered to support and prove those accusations if he were allowed to ask certain questions of certain witnesses and to produce in Court certain documents, he would not only not be forbidden by the Army and the Government to do this, but the Army and the Government would absolutely insist upon his doing it—that is to say, entirely substantiating, or entirely failing to substantiate, his case—at the very earliest possible opportunity.

In France, as I need hardly point out, a system exactly the reverse of this was pursued.

This ignoble flight of the army before a single critic, was one of the first occurrences which disclosed to observers in other countries the weakness of the French military case, as against Zola's. For, in the first instance, people in England, Germany, Russia, etc., had naturally, like so many good and honest folk in France, found great difficulty in believing that the Chiefs of the General Staff were such complete rascals as Zola's indictment of them appeared to indicate.

Their obvious disinclination to put in an appearance in Court, and the dishonest and mean excuses

of which they availed themselves, were among the first incidents which awakened the suspicions of outsiders who, as yet, had only begun to study the problem.

XXI.

THE WORDS OF AN HONEST MAN.

The speech in the witness-box—for that is what it really amounts to—of M. Thévenet the former Minister of Justice, came as a welcome contrast to all the legal chicanery and the systematic gagging of witnesses by the President of the Court. All honest and truth-loving men in all countries will applaud and admire M. Thévenet's speech, and sympathise deeply with this upright and honourable French gentleman in the feeling which led him to exclaim :

“What are we to believe? What are we to think? In what country are we living? Where are we?”

M. Thévenet's speech, which—naturally—was not fairly or loyally reported by the French Government organs, was, in fact, so important, and it so ably and clearly summed up the whole gist of the matter, that I think I am justified in quoting a considerable portion of it. It ran as follows :

“On dit que ni Dreyfus ni son défenseur n'ont eu com-

munication d'un dossier secret qui aurait été cependant communiqué aux membres du conseil de guerre qui ont condamné Dreyfus, on le dit. Eh bien, messieurs, cette question dont on parle depuis si longtemps, je m'étonne qu'elle n'ait pas été déjà tranchée ; c'est, à mon avis, je ne dis pas l'unique question du procès, *mais la question capitale de ce grand débat*, c'est par là qu'on devrait commencer, et il me semblait, je vous demande pardon de cette illusion, *il me semblait qu'on pouvait répondre avec beaucoup de loyauté et de franchise à cette question par un oui ou par un non.*

“ J'ai lu le compte rendu des débats, et j'ai été surpris que cette question, qui a été posée, si je ne me trompe, a été suivie du silence. Elle a été posée à d'honorables généraux, qui pouvaient y répondre, mais qui ont pensé qu'ils étaient liés par le secret professionnel.

“ Je dis, messieurs, que nous touchons à une question qui n'est pas seulement un point de droit, mais un principe beaucoup plus élevé, celui de la liberté de la défense, celui du droit imprescriptible qu'a tout homme accusé de savoir sur quels documents on l'accuse. (Mouvement).

“ Est-il vrai *oui* ou *non* que le premier conseil de guerre ait eu communication de pièces qui ont été refusées ou qui n'ont point été connues, ni de Me Demange, * ni du capitaine Dreyfus ? On peut répondre par un oui ou par un non. *On ne répond rien.* (Sensation).

“ Qu'est-ce à dire ? Si on avait répondu oui, la Cour de cassation aurait statué. Dreyfus aurait-il été innocent pour cela ? En aucune façon, il serait revenu devant le conseil de guerre, devant l'autorité militaire elle-même, et l'autorité militaire, après avoir examiné les pièces et les avoir soumises à Me Demange et à Dreyfus, auraient vu si Dreyfus était coupable. Mais alors au moins Dreyfus aurait pu se défendre sur des pièces qu'il aurait pu lire.

“ Une seconde condamnation serait peut-être intervenue, je n'en sais rien, mais le débat aurait été entier, la loi aurait été respectée et la liberté de la défense, la dignité

* Dreyfus' advocate at the court-martial.

humaine, devrais-je dire, aurait été sauvegardée. (Applaudissements).

“Je déclare que, pour ma part, si M. le ministre de la guerre était venu ici apporter sa parole d'honneur qu'aucune communication n'avait été faite au conseil de guerre qui a jugé Dreyfus, je me serais incliné. Je m'inclinerai devant la parole d'honneur du général Mercier. *Mais qu'il la donne...*c'est cela qui inquiète l'opinion publique, qui prolonge, qui perpétuera peut-être ce procès qui est un mal pour tout le monde et qui est un mal pour la patrie...”

M. Zola :—“A coup sûr.”

M. Thévenet :—“Je dis que ce *non*, il faut qu'on le prononce, à voix haute. On se tait, que faut-il croire ? Que faut-il penser ? Dans quel pays vivons-vous ? Où sommes-nous ? *

“Y a-t-il un magistrat parmi ceux qui m'écoutent ; y a-t-il un de mes confrères, une personne quelconque, un de vous, messieurs les jurés, qui puisse comprendre qu'on reste dans cette incertitude sur ce point si important : Dreyfus a-t-il, oui ou non, connu les documents qui le démontreraient coupable, et s'il ne les a pas connus quelle raison y a-t-il donc de ne pas lui montrer, quelle raison y a-t-il donc de ne pas l'avoir montré à Me Demange, ce confrère que nous respectons tous, tenu au secret professionnel comme les généraux, à Me Demange, qui, certainement, messieurs, a autant de patriotisme que n'importe qui ?...”

“Voilà ce que j'avais à dire. Et, messieurs, je termine par un mot, je dis, que, pour la raison que j'ai indiquée, peut-être trop longuement, la bonne foi de M. Zola est à la hauteur de son talent, je la crois éclatante.”†

* “On écoute M. Thévenet avec une véritable émotion. Tout le monde sent bien qu'il n'y a rien à dire, rien à répondre à de tels arguments.—*L'Aurore*, February 11th, 1898.

† “Veut-on une preuve de l'importance de cette déposition ? Ouvrez aujourd'hui les journaux qui depuis un mois traînent Zola dans la boue, l'appellent Prussien, bandit, malfaiteur et traître. Il n'y en aura pas un qui reproduira ou analysera loyalement cette irréfutable déposition. Nous en faisons le pari.”—*L'Aurore*, February 11th, 1898.

Nothing could possibly be more straightforward or clearer. M. Thévenet's speech expressed the exact feeling of all serious and sensible people in France, at the time of Zola's first trial. It also, as the sequel has proved, expressed the exact feeling of all thoughtful persons throughout the world.

That M. Méline's Government and the French General Staff subsequently continued day after day, and month after month, heaping up falsehoods and equivocations, and steadily refusing to allow the people and army of France to be brought face to face with the simple question: "Was, or was not, Captain Dreyfus illegally condemned?" is now, unfortunately, a fact of history.

XXII.

HOW M. MÉLINE AND THE GENERALS "ORGANIZED A SILENCE."

After M. Zola's trial was over, the natural result followed. A question which ought to have been simply one of scientific proof had now, through the careful wire pulling of the Government, degenerated into a conflict of parties, and the position of the unfortunate man Dreyfus became worse than ever. It was now no longer a question of the "honour" of the

officers composing the first Court Martial, or of the "honour" of that rigid and uncompromising Catholic and Jew-hater Colonel Sandherr, and the Second bureau which he directed. It was no longer a question merely of the "honour" of Generals de Pellieux and Boisdeffre, and the Minister of War. It was no longer a question of the "honour" of the army. Through the verdict of the jury at the Assize Court of the Seine, and its absolute endorsement by the Government, the whole of France had practically spoken. It was no longer possible to raise a doubt as to the (even now wholly unproved, remember) guilt of Captain Dreyfus without raising a doubt as to the honour of France.

To such a deplorable result had the singular chain of events connected with this matter led. M. Zola had honestly intended and hoped to obtain what would have amounted to a revision of the Dreyfus case. But he miscalculated the temper, and seems in a very real sense to have misunderstood the character of his countrymen. It is in this that the sadness and darkness of the matter lie. As M. Zola said the day after his condemnation: "What is to become of this poor country? she is blinded and her ears are stuffed. We offer the truth, and she will neither look nor listen. It is all the more melancholy because there are such elements of ability in this great people. We have made our appeal to loyalty and honour, but our appeal has been rejected... I am wounded, I am wounded to the soul, when I see this noble France afraid of shadows, when I see her starting at figures cast upon a screen. The public mind sees everything distorted."

It is, indeed, terrible to think of what must have been the disappointment, not only of that most unhappy lady Madame Dreyfus, but also of the little band of devoted and truly patriotic men, who, headed by M. Zola, had leaped into the breach, and, for the honour of France, had defied France, that is to say had defied, for the sake of truth and justice in the vindication of which the true honour of France lies, the temporary triple alliance of the clerical party, the military party and the government, backed, in this instance, by a most important and clamorous fourth party, the Parisian mob. It is terrible to think of what must have been the revulsion of feeling in the minds of such honest and truth-loving men as M. Trarieux, M. Scheurer-Kestner, M. Clemenceau, M. Thévenet, and the intellectual *élite* who from first to last had been upon the side of Zola, when their efforts were baffled, their motives misinterpreted, their honour assailed, their love of truth termed want of patriotism, their passion for justice construed as an insult to the army, and their desire that all men in France should be regarded as equal before the law imputed to them as a crime, simply because the man whose civic rights they were vehemently urging happened to be a Jew.

Is any comment upon these words needed? See what happened immediately after M. Zola's trial. It at once became necessary, from the point of view of the Army and the Government, that all this needless noise and discussion about the fate of *cette canaille de Dreyfus* should cease. It could not be argued into silence, that was evident. It had been

shown, only too distinctly in the Assize Court, that the generals and their supporters had no real arguments to adduce. Well then, since the advocates of the revision of the Dreyfus trial could certainly not be argued into silence, it had become necessary, as M. Méline and the Minister of War very plainly saw, to stamp them into silence. No logical weapons rested at the disposal of M. Méline and the generals. But there still remained in their hands proscription and the sword. It was necessary, at any cost, that calm should be restored to the country; that the shops should glitter again with all the glow and glory of Paris fashions; that the tide of business should once more flow freely; that the streets should no longer resound with savage cries of *Mort aux Juifs*; that President Delegorgue should take a rest after his arduous task of muzzling Maître Labori and gagging witnesses; that it should no longer be necessary for ardent young officers to stifle shouts of *Vive la République* by shouts of *Vive l'Armée*; and above all, that the still untried convict at Devil's Island should again be swathed, and this time if possible for ever, in the mantle of an icy and impenetrable silence.

"It is now time," said the *Figaro*, taking its cue from M. Méline and the War Office, "it is now time to arrange a silence" (*organiser la silence*). The prisoner at Devil's Island upon whom for a moment the light of justice had flashed, was now to be violently thrust back into the darkness; and as many of his supporters as possible were to be thrust into darkness and throttled into silence, along with him. The *consigne* was most significant; it was

the *consigne* given by all Governments which feel themselves distinctly in the wrong, and which can only depend henceforward upon force ; *organiser la silence*.

How did the Government set about "organizing silence" around their mistakes and wrong-doings ? As follows :

The Government dismissed Maître Leblois from his post as Deputy-Mayor of the Seventh District of Paris. What was his crime ? He had given powerful evidence on behalf of M. Zola, and had traced out in detail some of the methods of the official conspiracy of silence.

The Government cashiered Lieutenant-Colonel Picquart. He was retired from the army without any right to a pension—the severest penalty which the Minister of War can inflict upon an officer. Colonel Picquart could in future never even wear his uniform, the State renouncing his services even in case of war. What was the crime of this brilliant officer, who had served twenty-five years with distinction ? His crime was that he persistently searched for truth, and resolutely endeavoured to throw light on the question of Dreyfus' guilt or innocence, while his superiors on the other hand were only anxious—as is now clearly proved—to hush the matter up, and to avoid having to answer awkward questions.

The Government removed Lieutenant Chaplain, of the Artillery, from active service, until further notice. What was his crime ? He had written a generous letter, congratulating M. Zola on his efforts to save a possibly innocent man, and thus to remove a stigma from French justice.

The Government placed M. Grimaux, Professor of the Ecole Polytechnique and member of the Institute, on the retired list. What were his crimes? They were many and various, they were as follows. M. Grimaux, who had occupied his post at the Ecole Polytechnique for thirty-two years, had ventured in the exercise of his absolute right as a free French citizen, to sign his name to a petition for the revision of the Dreyfus trial. He had also made a most pathetic and beautiful speech in Court, in which he explained that he loved the French army passionately, "ran to meet the flag when he saw it in the street," and had spent a long and honourable life in serving France. But herein lay the unpardonable crime of this white-haired and venerable French gentleman, whose deposition moved and touched even an adverse Court. M. Grimaux had been profoundly troubled (*profondément ému*) by many things that had come to light connected with the trial of Captain Dreyfus; he had strongly realised the force of the evidence given by M. Zola's experts as to the origin of the handwriting on the *bordereau*; he had perceived that the production of secret documents, to which Dreyfus' counsel had no access, rendered Dreyfus' condemnation at once inhuman and illegal—and, seeing all this clearly, he had ventured openly to express his opinion in the France of the year 1898. This was M. Grimaux's crime.

Such was the manner in which the French Government, after M. Zola's trial, set about its task of restoring calm to France and "organizing silence."

XXIII.

SUMMARY OF POINTS PROVED UP TO THE CLOSE OF
ZOLA'S FIRST TRIAL.

1.—It was proved by the evidence of M. Lalance that Colonel Sandherr, who was chief of the Intelligence Department in 1894, and prominently concerned with the prosecution of Dreyfus, was suffering in 1894 from cerebral disease, and had an antipathy to Jews amounting almost to monomania.

2.—It was proved, on his own showing, and by the testimony of Commandant Forzinetti, that Colonel du Paty de Clam, who was responsible for the first *instruction*, had recourse to the most whimsical and melodramatic methods of getting up evidence against Dreyfus.

3.—It was proved, on his own showing, that Commandant Besson d'Ormescheville, who drew up the act of accusation for the Court Martial of 1894, was most deficient in logic, and assumed most of the points at issue.

4.—It was proved, by his own most explicit orders to General Gonse, that General Mercier had intentionally withheld vital information (as to the origin of the *bordereau*) from the judges at the Court Martial.

5.—It was proved, by General Mercier's own "tacit avowal" in Court, by the categorical evidence of Maître Demange, M. Salle, and M. Stock, by the explicit mention and description of the document in question by Colonel Henry and Commandant Ravary,

and by the silence of the Government though repeatedly challenged, that a secret document had been produced at the Court Martial, but not shown to Captain Dreyfus or his legal adviser.

6.—It was therefore proved that the condemnation of this officer was both inhuman and illegal.

7.—It was proved that General Mercier, General Billot, M. Méline, M. Milliard, and other ministers, had for a long time been perfectly aware of this illegality, but had endeavoured by every possible device to conceal it, and to hinder the efforts of those who, for the sake of humanity, and for the honour of France and the army, were striving to right a great wrong.

8.—It was proved that the trial of Commandant Esterhazy was a mere mockery of justice; for Colonel Picquart's witnesses were never called, Commandant Ravary's report was an act of accusation not against Commandant Esterhazy, but against Colonel Picquart, and the expert evidence tending to prove that the *bordereau* was the work of Esterhazy—the most important evidence of all—was, by his own admission, deliberately excluded by General de Pellieux.

9.—It was proved that the closest possible relation existed between Commandant Esterhazy and the War Office, for a secret and most important document of State, which he admitted was of the most marked use to him at his trial, was removed on the eve of the trial from the War Office, placed in his hands, and then received back from him by the War Office authorities, and a receipt given to him for it, without any inquiry whatever.

10.—It was proved that the trial of M. Zola abounded in illegalities, and was one of the most signal instances in history of partiality on the part of the judge, and of bad faith on the part of the prosecution; that is to say, on the part of M. Méline, the chiefs of the General Staff, and the Minister of War.

11.—It was proved that the handwriting of the *bordereau* bore the most extraordinary resemblance to that of Commandant Esterhazy, a resemblance amounting to the most absolute identity of character.*

12.—It was proved that the evidence of M. Bertillon and the Government experts at the trial of Dreyfus was worth very little, and that M. Bertillon's evidence, such as it was, was destructive of the position taken up by the authorities in 1898 as to the writing of the *bordereau*.

13.—It was proved that whoever was responsible for the uncontradicted printing of *Dreyfus* instead of *D...* in the *Eclair* article of September 15th, 1896, committed an infamous crime.

14.—It was proved that the above article—like the articles in the *Libre Parole* of November 15th, 16th, and 17th, 1897—must have emanated from Government sources, and must have been inserted for a special purpose.

15.—It was proved that the forged *Blanche* and *Speranza* telegrams, and the forged *Speranza* letter

*This absolute identity of character, down to the minutest particulars, is self-evident. It struck M. de Castro instantly on the *boulevard*; it strikes everyone who looks at the two handwritings; as M. Zola remarked: "If you were to place the *bordereau* and one of Esterhazy's letters before a boy in the street, the boy would say instantly, 'The same *monsieur* wrote the two papers.'"
—The handwriting of Dreyfus, on the other hand, is perfectly different.

sent to Colonel Picquart, emanated from the region of the War Office.

16.—It was proved that Colonel Picquart had been treated with the most disgraceful unfairness, and that his military career had been sacrificed to his sense of honour and love of justice.

17.—It was proved that the military witnesses at the trial of M. Zola in every instance shirked publicity, withheld documents, and adopted a policy of evasion and concealment.

18.—It was proved, on the other hand, that M. Zola's witnesses in every instance courted the fullest publicity, demanded the production of documents, and that their one desire was to bring every possible fact to light.

19.—It was proved that the two secret documents which were described by the generals, and which may be regarded as their trump cards, were of very doubtful value.

20.—It was proved that M. Zola had acted from the most generous and humane motives, from love of France and true regard for his country's honour, and with the most absolute good faith.

XXIV.

THE "SILENCE" IS BROKEN.

For a short time, all went swimmingly for the War Office and the Government. It really seemed that the forces of darkness had obtained a definite and final triumph over the forces of light. M. Zola was condemned to a heavy loss of money—ten thousand pounds Mr. Christie Murray stated, the fine and costs of the first trial were estimated to amount to—and also to a year's imprisonment. M. Perrenx, the manager of the *Aurore*, had also been fined, and sentenced to four months' imprisonment. Colonel Picquart had been disbelieved and cashiered on the evidence of such men as Colonel Henry, Commandant Lauth, and the *archiviste* Gribelin. He had been tried with closed doors, in order that the allegations against him might not be openly discussed and sifted, and also in order that his defence might not be made public; and his chief, General de Pellieux, with almost incomprehensible shamelessness, had accepted against him, without inquiry, the absolutely unsupported statements of the author of the letters to Madame de Boulancy. Prince Henry of Orleans, in his royal eagerness to flatter the army, had embraced and congratulated on the steps of the Palace of Justice the very man who had showered upon the French army and its officers the most abominable and unprecedented abuse; the very man whose handwriting on his

own admission was almost absolutely identical with the handwriting of the *bordereau* which had condemned Captain Dreyfus; the very man who, a few weeks later, was publicly branded as a traitor by Count Enrico Casella, was publicly accused by a Berne diplomat of having supplied one hundred and sixty-two secret documents to Colonel Schwartzkoppen, the German military attaché, and who remained completely without response to the accusation—Colonel Schwartzkoppen remaining silent likewise. The ring of evasive Generals—Boisdeffre, Gonse, de Pellieux, Mercier—had triumphed exceedingly, and had enjoyed a popular ovation on leaving the Palais. Outside that same Palais, a Jew, whose nose in the opinion of a bystander happened to be too long and too racial, had been knocked down and nearly trampled to death. “The honour of the army” had been absolutely satisfied,—nay, satiated, for obsequient and fawning barristers were reading addresses to it all over the country, and congratulating it upon the brilliant victory it had recently won—no, not over the Germans, over Zola and Perrenx. A young barrister, Maître Courot, had been first violently assaulted and injured for saying “*Vive l’armée! mais enlevez les chefs*,” then arrested, and then, to make up for all this, suspended for six months. It had been decided that MM. Couard, Belhomme, and Varinard, the Government experts who were bringing an action against Zola for libel, were not witnesses in the legal sense of the term, though they had acted as witnesses for the War Office at the trial of Esterhazy; the object of this whimsical

decision being to compel the case to be tried before a bench of magistrates instead of before a jury, in order to bar M. Zola from producing witnesses. Madame de Boulancy's *plainte* in respect of the accusation made against her by General de Pellieux of forging the "Uhlan" letter, was still in the hands of M. Bertulus; but her action seemed to make no progress. Colonel Picquart's *plainte* against certain papers for libel in reference to the forged *Speranza* letter, and the forged *Speranza* and *Blanche* telegrams, which was resting with the same *juge d'instruction*, M. Bertulus, also remained in that magistrate's hands, but in no way advanced. The unfortunate Lemercier-Picard, the War Office spy, who probably could have thrown light on everything, and who had written just before his death that Colonel du Paty de Clam and Colonel Henry had put him up to the attempt to foist the forged "Otto" letter upon the friends of Dreyfus, had been found mysteriously hanging to the window-knob at his room in the Rue de Sèvres—most provokingly, at the very moment when his testimony, if he had not been too terror-stricken to give it, might have been of priceless service. The inquiry into this awkward matter had been stifled "by order" of the Government. The War Office journals which had at first been exceedingly garrulous as to the death of Lemercier-Picard, on a sudden became discreetly silent. The dead man was kept waiting nearly a fortnight for his *post mortem*; and when the *post mortem* came, Dr. Socquet, the police-surgeon, naturally discovered nothing.

Fortune had smiled to such an extent upon

Esterhazy that really there seemed to be reason in the picture of that gentleman in one of the comic papers, representing him standing in a fierce military attitude, while underneath was written :

“ Esterhazy the First. Why not ? ”

But on a sudden, to the intense astonishment not only of France, but of all spectators in surrounding nations, the spell of “ silence ” was broken. A just man appeared upon the scene. This man was an official, but he was also, amazing to relate, a Republican and a lover of truth and justice. As M. Zola had saved the honour of French literary men, as MM. Scheurer-Kestner and Trarieux had saved the honour of French senators, as M. Jaurès had saved the honour of French deputies, as M. Paul Meyer and his companions had saved the honour of French experts, and as Colonel Picquart had saved the honour of the army, so, now, at the eleventh hour, the honour of French law was saved, by a hair's breadth, by Procureur Général Manau.

XXV.

MANAU THE JUST.

M. MANAU, the *procureur général* of the Court of Cassation, is a remarkable and interesting historical figure. A septuagenarian, unmarried, and a man of only moderate means, he had lived for years a life of seclusion and study. Any one, mounting to his humble set of rooms on the fourth floor, after the door had been opened by the old house-keeper in her mob cap, would have been struck by the severe simplicity of the arrangements. But the visitor would have been still more struck by the simplicity of appearance and the frank open glance of the *procureur général* himself.

M. Manau was not to be sought for in salons and amid the whirl of "society." But, on a bright spring morning, if you were walking in the Bois de Boulogne, you might sometimes meet a squarely built white-haired old gentleman, walking slowly along the fresh green alleys, enjoying the air, and quietly reading a book. This unimposing figure, you would learn on inquiry, was M. Manau, the *procureur général* of the Court of Cassation, taking a rest from the struggles and controversies of law courts, and perusing one of his favourite volumes.

But, quiet and gentle as this Republican lawyer looked, there was no "getting at" him. He would have seized by the collar any minister who had dared to ask him a favour. He would have answered

tempters in the famous words of Mathieu Molé :
“ *La cour rend des arrêts, non des services.*”

All M. Manau's success in life was due to his own unaided and honourable exertions. Of humble origin, he had always despised the intrigues of courts, and had never sought to win wealth or popularity by flattering those in power. This, no doubt, accounts for his merely moderate fortune. Republican to the back-bone, he had, while a young man of about twenty-five, witnessed the horrors of the *Coup d'Etat*, of which he always spoke as “the crime of crimes.” And, in his old age, he had witnessed another crime, that designated by M. Zola as “the greatest crime of the century,” the crime committed by a clique of dishonest ministers and generals against Captain Dreyfus. M. Manau had lived to witness this, and to break down by his stern Republican mandate the military and Jesuit “conspiracy of silence.”

XXVI.

THE SEVEN MOYENS.

The *moyens*, or reasons put forward by M. Zola and M. Perrenx as sustaining their contention of the illegality of their first trial, were seven in number. Upon these M. Chambaraud, one of the Councillors of the Court of Cassation, had to report, and M. Manau, the *procureur général*, to decide. Any one of them would be enough, considering the matter justly and reasonably, to show that the condemnation

of Zola, like the acquittal of Esterhazy, was, in the most flagrantly disgraceful sense, simply due to the exercise of direct ministerial and military pressure.

The seven *moyens* were as follows. I quote in the original, as I have done in all cases throughout this work where matters of legal proof, depending of course largely upon absolute verbal accuracy, are in question.

1^{er} Moyen.—Mme de Boulancy et Mlle de Comminges prises d'un mal subit (?) n'avaient pu venir déposer à la cour d'assises. Elles ont été interrogées à domicile par le juge Bertulus. Celui-ci leur a fait prêter serment de *dire toute la vérité, rien que la vérité*. Or, l'article 317 exige, à peine de nullité, qu'on fasse prêter aux témoins cités devant le jury, et par conséquent aux témoins entendus par délégation de la cour d'assises, le serment de *parler sans haine et sans crainte, de dire toute la vérité, rien que la vérité*.

2^e Moyen.—La cour a refusé d'autoriser les prévenus à faire la preuve de l'illégalité du jugement rendu contre l'excaptaine Dreyfus, alors que, dans le passage de l'article de Zola, visé dans la citation, il accusait le conseil de guerre d'avoir acquitté Esterhazy par ordre *pour couvrir l'illégalité commise dans le jugement de condamnation de Dreyfus*.

Il y avait là des faits diffamatoires indivisibles : l'imputation d'avoir jugé par ordre, et cette autre imputation d'avoir voulu couvrir une illégalité. La preuve de la vérité de cette double imputation devait donc être admise.

3^e Moyen.—Le président de la Cour d'assises a refusé à la défense de poser une question, relative à la bonne foi de Zola, à Mme Alfred Dreyfus, d'abord, à M. Casimir Périer, ensuite.

4^e Moyen.—Le président de la cour d'assises a refusé de laisser la défense poser ou même *formuler* aucune question au général de Boisdeffre, qui venait de poser, lui, la question de confiance au jury.

5^e Moyen.—La cour a empiété sur le pouvoir discrétionnaire du président en repoussant la demande de la défense, qui tendait à la communication des pièces relatives au procès Dreyfus. Le droit de statuer sur la demande n'appartenait qu'au président.

6^e Moyen.—Les experts se sont retranchés derrière le secret professionnel pour ne pas déposer, et la cour a admis cette excuse, qui n'est pas prévue par la loi.

7^e Moyen.—Le ministre de la guerre n'avait pas qualité pour porter plainte au nom du conseil de guerre. Une poursuite pour diffamation contre un corps constitué ne peut, aux termes de la loi de 1881, être introduite que sur la plainte de ce corps lui-même, après délibération spéciale.

Councillor Chambaraud, the Reporter, first examined *Moyen* No. 2; that relating to the indivisibility of the portion of the citation charging the Esterhazy Court Martial with having acquitted "by order," from the portion of the citation charging the Dreyfus Court Martial with having condemned illegally.

M. Chambaraud was distinctly of opinion that M. Zola had the legal right to produce proof of the portion of the citation which referred to the illegality of the judgment of the first Court Martial. M. Delegorgue, the president of the Assize Court of the Seine, had therefore acted illegally in not allowing testimony to this effect to be placed before the Court. M. Chambaraud held that in matters relating to journalism, there was no limit whatever to the right of proof:

"*Même contre la chose jugée, la preuve est permise. Qu'on le regrette ou non, la liberté de la presse est une partie intégrante de notre Constitution. Elle fonctionne sans autre contrôle que le libre examen.*"

But, unfortunately, the judgment which had prohibited the proof of the facts indivisibly associated with the alleged order given to the Court Martial, was what in French legal language is called a judgment "*avant faire droit*." An appeal against it should have been lodged within three days from its actual date (February 7th), not within three days from the date of the definitive judgment on the whole case (February 21st).

This was a pity. Still, the proof was gained that M. Delegorgue's action throughout the first trial was illegal.

As to the refusal to administer questions to Madame Dreyfus and M. Casimir-Périer, tending to bring out M. Zola's good faith, M. Chambaraud delivered no opinion.

He was, however, quite clear that the refusal to allow any question on the part of the defence to be put to General de Boisdeffre, at the very moment when the General had just been allowed by the President to inform the jury, on behalf of the prosecution, that a verdict of acquittal on their part would entail the immediate resignation of the whole General Staff, was a gross violation of the rights of the defence, and in itself was sufficient to vitiate the former trial.

The questions relative to the invocation of "the professional secret" by the experts, and the discretionary power of the president, did not appear of much importance to the Reporter.

It was, however, quite otherwise with the question relative to the inadequate and truncated oath administered to Madame de Boulancy.

The fact was that, as Madame de Boulancy was in the

most mortal terror of her amiable cousin Commandant Esterhazy, and had had for safety's sake to speak to him from behind a chained door, she was naturally in no wise able to take the oath to speak "without fear." M. Bertulus therefore obligingly administered to the lady only a portion of the legal and customary oath. But this, the Reporter to the Court of Cassation stated, was an entirely unprecedented and unwarrantable proceeding.

There were, in fact, M. Chambaraud pointed out, three courses open to the Court in the absence of Madame de Boulancy. It might have ignored her absence and proceeded without her. It might have compelled her to appear. It might have adjourned the trial until another session. The Court, however, elected to adopt a fourth and an altogether extraordinary method. It despatched a magistrate to interrogate the witness at her home, thus borrowing the procedure which can only be legally employed in the cases of those who are prevented from appearing by their high position, or their official functions. Moreover, when this perfectly abnormal plan had been adopted, an oath was administered to Madame de Boulancy quite other than the oath legally required of witnesses before the Assize Court.

Alas for poor Delegorgue !

But it was on the seventh *moyen* that M. Chambaraud, the Reporter to the *Cour de Cassation*, delivered his strongest and most decided opinion. Here there was no room whatever for doubt. General Billot, in his eagerness to vindicate the "honour of the army," had taken too much upon himself. He

had no legal right whatever, M. Chambaraud reported, to prosecute the defendants in his own proper person. The Courts Martial were, from the legal point of view, permanent bodies, corporate tribunals perpetually functioning, and article 47 of the law of 1881 spoke of *courts* and *tribunals* without distinction.

"Admettriez-vous," said M. Chambaraud, "que, sans votre avis, le ministre de la justice vous menât en cour d'assises, portât plainte en votre nom d'outrages" que vous auriez dédaignés? Le ministre de l'intérieur pourrait-il porter plainte au nom du Conseil d'Etat?"

It seemed, therefore, clearly established that the first trial of Zola was an absolutely illegal performance from first to last on this ground alone. All the legal acumen of M. Méline, the ponderous deliberation of General Billot, and the painfully anxious consideration given to the matter by the Minister of Justice, had simply resulted in the fact that the wrong person had prosecuted M. Zola and M. Perrenx.

The report of Councillor Chambaraud practically settled the matter.

However, M. Manau—the *procureur général*—had still to weigh carefully M. Chambaraud's report, and then to deliver his final "*conclusions*."

He decided that the sentence on MM. Zola and Perrenx must be annulled on the ground of illegality in the conduct of the trial, and he fixed upon the seventh *moyen*—that relating to the libel having been taken up by the Minister of War, instead of by the actually libelled body—as the one which was to be legally considered as operative.

The reason that induced M. Manau to fix upon this *moyen*, in preference to any of the others, was that if the first trial was ruled to be illegal on any of the other grounds (as, for instance, on the certainly illegal refusal of president Delegorgue to allow the counsel for the defence to question General de Boisdeffre) the case would have to be sent back to the Seine jury for reconsideration.

If, however, the trial was simply annulled on the technical ground of the wrong person having acted as prosecutor, the sentence itself would remain intact as a sort of separate and self-existent moral entity, there would be no absolutely compulsive legal need for a new trial, the peace and quiet of the country would not be further disturbed, and M. Zola would not have to go to prison.

In this way, so it seemed to the worthy and well-meaning *procureur général*, every one—except perhaps, poor Delegorgue—would be satisfied. There would be a general shaking of hands, and the actors in the drama would all go home happy.

M. Manau concluded his speech, however, by a singularly unfortunate anti-climax, though his intentions were of course excellent. He said ;

“ Nous supplions M. Zola et ses amis d’avoir pitié de la France. Qu’ils laissent la grande vaincue de 1870 se préparer dans le silence, le travail, la concorde et la paix à ajouter en 1900 un nouveau fleuron à sa couronne de reine de monde.”

This was certainly a somewhat unlucky ending to an admirable commencement.

The simplest way for the “queen of the world” to add a new *fleuron* to her crown, and to place herself

in a position to prepare “in concord and silence” for the Great Exhibition of 1900, was, obviously, to deal justly and truthfully with the illegally convicted and imprisoned Captain Dreyfus.

XXVII.

“THE TRAITOR BILLOT.”

Naturally, the anti-Dreyfus papers, when the decision of the Court of Cassation was made known, turned with the bitterest anger upon the Minister of War and the Government. But it was General Billot, especially, upon whom their almost frantic wrath was wreaked. He had done his very best throughout the matter to spread a veil over the iniquities of the War Office. He had, as we have seen, given evasive answers to M. Castelin, at the interpellation of November 18th, 1896, and had on that memorable occasion made statements which he must have known to be incorrect.* He had broken his promise to M. Scheurer-Kestner, and he had told an untruth by alleging that M. Scheurer-Kestner had put before him no evidence.† He had endeavoured secretly to influence M. Mazeau, the pre-

* See Section XII.

† See Section XIV.

sident of the Court of Cassation, and again to obtain a verdict "by order," this time from the Supreme Court, by threatening the president with "a revolution," if the sentence on M. Zola were annulled, and he had even gone so far, M. Thévenet, the former Minister of Justice, reports, as to say that, if the finding of the jury at the first trial were interfered with, "blood would run in the streets of Paris." The language and the method of Esterhazy were contagious. His protectors at the War Office were learning rapidly from their *protégé*.

Moreover, General Billot had done better still. He had, as we now know for certain, in order more effectually to destroy the innocent man (Dreyfus) by saving the guilty man (Esterhazy), endeavoured to influence General de Pellieux, when this officer was conducting the Esterhazy Court Martial, by showing him an obviously forged document—and a document which he, General Billot, must have known to be forged. To this particular point I shall return hereafter.

All this surely ought to have satisfied M. Rochefort, M. Drumont, and M. Judet, that General Billot was with them heart and soul, and that, if he had erred through not listening to the advocate who pointed out to him before Zola's first trial that he was not the proper person to prosecute, it was merely an old man's harmless error, and that the absolutely genuine desire of General Billot was coincident with their own—was an absolutely genuine desire, namely, at any cost to prevent the truth from leaking out, and by any device, however unscrupulous, to hinder the ends of justice.

As I say, one would have imagined that M. Rochefort, M. Drumont, M. Judet and the rest of the valiant editors of the anti-Dreyfus press, after all that General Billot had done and suffered for them, would have reposed at least a little faith in him—would have given him a little time to recover from the serious shock which the finding of M. Manau must have caused him—would have believed that his determination to contend to the very last gasp for "the honour of the army," that is to say, for its dishonour, was absolutely unchangeable.

Not at all. The moment that the *procureur-général* of the Court of Cassation delivered his judgment to the effect that the sentence upon MM. Zola and Perrenx was null and void, owing to the fact that the wrong person had prosecuted the defendants, the Esterhazian editors turned upon Billot with unbridled fury, and some of the abuse which had been intended for Scheurer-Kestner, and which was still standing in type, now came in handy for the unhappy General. The very same epithets served: it was only a question of altering the name. Scheurer-Kestner had been called "an old scoundrel," "a traitor," "a corrupt taker of bribes," "an accomplice of Zola and the Jews," "an enemy of the country," and a "liar." All these stirring epithets were now applied, without delay or scruple, by the Esterhazian editors to their own man, Billot. But to one epithet beyond all others, they gave the preference. Their tongues had become so accustomed to the articulation of the word "traitor" through applying that epithet daily for years to Captain Dreyfus, and the printers of the *Intransigent*, the

Libre Parole, and the *Petit Journal*, had the leaden letters composing that word always so ready to hand, that it inevitably leaped first into the columns of type, or to the tongue. Beyond and above everything, General Billot was a "traitor."

It had become perfectly clear to the Esterhazian editors that the whole affair was a deep plot, cunningly arranged beforehand. It had all been planned out between Billot and Zola, at the very beginning, they affirmed. There could not possibly be any doubt of it. Zola deserved no credit for coming forward in defence of Captain Dreyfus, and for challenging the Government to desperate battle in the Assize Court of the Seine. It was all a plant, a got-up thing. M. Zola had known perfectly well from the very first that, even if the jury, in righteous discharge of their patriotic duty, found him guilty, the sentence, owing to a legal flaw in the indictment, would never be carried out. He *must* have known it, for it had all been settled privately between him, General Billot, and M. Méline, in the early days of January; certainly before he, Zola, committed himself to writing his letter of accusation to the *Aurore*. That much was plainly evident; a child might see it.

So argued the highly critical and discerning gentlemen who were conducting, in the interests of Esterhazy and the Antisemites, the *Intransigeant*, the *Libre Parole*, and the *Petit Journal*.

As to M. Manau, the venerable *procureur général* of the Court of Cassation, who, knowing the legal fact, had had the courage to proclaim it, no insult was too coarse for Rochefort, Drumont, and the

friends of the War Office, to fling at him. He was "a gossip," "an old agent of the syndicate," "a miserable ally of traitors," "an odious mountebank," "a scoundrel," "the plotter of a new infamy." M. Rochefort in the *Intransigeant* said that "he had done M. Manau the honour to believe that he would at any rate have the decency to disappear." The *Agence Havas* observed that M. Manau did not merit such an honour. Upon which M. Rochefort crowned all by asserting that "it was high time to wrench Manau from the seat to which he had incrustated himself!" (*où il s'est incrusté*).

XXVIII.

PERFECT IGNOMINY.

In spite of the well-meaning effort of M. Manau, and in spite of the less well-intentioned efforts of General Billot and the Government—who discerned clearly that every fresh trial would mean a further diminution of the darkness wherein lay their safety—it became necessary, owing to a sudden development, not of honesty, but of dogged *esprit de corps*, among the officers who had acted as Esterhazy's judges, once more to arraign M. Zola before an Assize Court.

The absolute determination of M. Méline and

General Billot to exclude from this new trial all possibility of fair play for the defendants was made glaringly manifest by the astute choice of the phrase from M. Zola's letter which was to be "cited" as a charge by the prosecution. M. Zola's object, of course, from the first, was to prove legally in a French Court what had long ago been proved morally to the whole world, viz., the illegality of the condemnation of Dreyfus. The one object of M. Méline and General Billot, though they certainly knew with the clearest knowledge that Dreyfus had been illegally tried, and was therefore being illegally detained in custody at Devil's Island, was to prevent actual legal proof of this fact from being obtained, by closing the mouths of all witnesses ready to testify to it.

At the first trial of M. Zola, president Delegorgue, in order to prevent the proof of illegality in the trial of Dreyfus from being obtained, himself acted, throughout the trial, illegally. He was instructed by the Government at all costs to close the mouths of the witnesses, and he did so with a reckless defiance of even the external forms of justice. At the moment when M. Salle was about to quote to the Court the actual words in reference to the secret document used by one of the judges at the first Court Martial, president Delegorgue intervened with his, "The question shall not be put."* He intervened illegally, as the Court of Cassation afterwards ruled; illegally, for the point as to the illegality of the judgment delivered by the first Court Martial

*President Delegorgue's "*la question ne sera pas posée*" has become historic.

was expressly referred to in the portion of Zola's letter of accusation cited by the prosecution at the first trial.

The report of M. Chambaraud to the Court of Cassation, and the subsequent judgment of that Court, made it evident to M. Méline and General Billot that, purposely narrow as had been the ground of their first action against M. Zola, that ground must be still further narrowed, if they were to make certain of winning in the new court a second victory. At the first trial, in order to prevent the Dreyfus case from being honestly discussed, the prosecution had only cited fifteen lines of M. Zola's *J'accuse*. But these fifteen lines contained, as I have said, a reference to the illegality of the judgment of the first Court Martial, and the recent finding of the Court of Cassation made it apparent to the keen legal mind of M. Méline that if this same passage, slender as it was, were again cited, questions which would clearly establish the illegality of the judgment and detention of Dreyfus would certainly be asked, permission to the witnesses to speak would have to be given, and truth and justice would assuredly triumph.

Therefore, observe carefully what was done by M. Méline and General Billot. In order to prevent the truth from being proved, and to prevent the natural consequence following—that is to say, the liberation of a man probably innocent, but undoubtedly illegally condemned and detained—in order with cruel certainty, so they deemed, to stand in the way of this the only righteous result, these French ministers, with singular ingenuity and utter absence

of scruple, still further hacked and carved M. Zola's phrases till they had reduced the fifteen lines cited at the previous trial to only *three* lines ; and three lines containing nothing whatever, as they believed, which could by any possibility be construed as a reference to Dreyfus. In this way they counted on again securing a judgment against M. Zola, without even this second time allowing him to produce witnesses to testify to the truth of what he had written. Having triumphed at the first trial by violence, they hoped at the second trial to triumph by fraud. In all the annals of history, studded as these annals are with the records of disgraceful and dishonest actions perpetrated by ministers supposed to be gentlemen and passing as Christians, I do not think that any action more disgraceful and dishonest could possibly be found than this second deliberate attempt on the part of M. Méline and General Billot—aided and abetted, of course, by the military Staff in general and the other ministers—to snatch by the most underhand means from M. Zola the right to produce his witnesses, and at one and the same moment to close yet more irrevocably upon the unfortunate Captain Dreyfus the covering of his tomb.

When M. Zola, in his nobly indignant letter of April 14th, 1898, exclaimed, in reference to this abominable action, "*J'ajoute que de telles manières d'agir, plus tard, quand l'histoire les dira, soulèveront l'exécration du monde entier,*" he spoke the simple and absolute truth.

By pursuing the above sinister but useful method, it becomes quite easy, as was justly observed by a

jurist in the *Revue Blanche*, for any person libelled in a newspaper to bar his alleged libeller from producing proof of the truth of his accusation, and of his good faith. If the accusation is not to be taken as a linked and connected whole, it is always easy by the skilful use of the scissors to cut out from a letter of accusation a few words practically impossible of proof.

If, for instance, I write : "Mr. A. is a thief, and **he climbed over the wall of the garden from which the fruit was stolen** with the direct intention of selecting my choicest strawberries," it would be quite easy for Mr. A., following the method of M. Méline and General Billot, completely to balk me, though he might be a confirmed strawberry-thief, by simply citing the lines emphasized, and defying me to prove that he "*climbed*," and did not use a ladder !

XXIX.

THE VANISHING TRICK.

LET me now proceed to show in detail the method by which MM. Méline and Billot carried out their ignominious conjuring trick.

M. Zola's original letter of accusation, published in the *Aurore* of January 13th, 1898, consisted of about eight columns.

Towards the close of his long letter M. Zola summed up the definite accusations he desired to make under eight heads.

They were as follows :—

“ J'accuse le lieutenant-colonel du Paty de Clam d'avoir été l'ouvrier diabolique de l'erreur judiciaire, en inconscient, je veux le croire, et d'avoir ensuite défendu son œuvre néfaste, depuis trois ans, par les machinations les plus saugrenues et les plus coupables.

“ J'accuse le général Mercier de s'être rendu complice, tout au moins par faiblesse d'esprit, d'une des plus grandes iniquités du siècle.

“ J'accuse le général Billot d'avoir eu entre les mains les preuves certaines de l'innocence de Dreyfus et de les avoir étouffées, de s'être rendu coupable de ce crime de lèse-humanité et de lèse-justice, dans un but politique et pour sauver l'état-major compromis.

“ J'accuse le général de Boisdeffre et le général Gonse de s'être rendus complices du même crime, l'un sans doute par passion cléricale, l'autre peut-être par cet esprit de corps qui fait des bureaux de la guerre l'arche sainte, inattaquable.

“ J'accuse le général de Pellieux et le commandant Ravary d'avoir fait une enquête scélérate, j'entends par là une enquête de la plus monstrueuse partialité, dont nous avons, dans le rapport du second, un impérissable monument de naïve audace.

“ J'accuse les trois experts en écritures, les sieurs Belhomme, Varinard et Couard, d'avoir fait des rapports mensongers et frauduleux, à moins qu'un examen médical ne les déclare atteints d'une maladie de la vue et du jugement.

“ J'accuse les bureaux de la guerre d'avoir mené dans la presse, particulièrement dans *l'Eclair* et dans *l'Echo de Paris*, une campagne abominable, pour égarer l'opinion et couvrir leur faute.

“ J'accuse enfin le premier conseil de guerre d'avoir violé

le droit, en condamnant un accusé sur une pièce restée secrète, et j'accuse le second conseil de guerre d'avoir couvert cette illégalité, par ordre, en commettant à son tour le crime juridique d'acquitter sciemment un coupable."

Out of these eight accusations, and also out of the body of the letter, the Government, feeling themselves unable to reply to the principal points, but being reluctantly compelled to prosecute, owing to public opinion and pressure put upon them in the Chamber, selected only fifteen lines to cite in the summons as libellous.

These fifteen lines were ;—

(From the first column of the first page). "Un conseil de guerre vient, par ordre, d'oser acquitter un Esterhazy, soufflet suprême à toute vérité, à toute justice. Et c'est fini, la France a sur la joue cette souillure. L'Histoire écrira que c'est sous votre présidence qu'un tel crime social a pu être commis."

(From the sixth column of the first page). "Ils ont rendu une sentence inique qui à jamais pèsera sur nos conseils de guerre, qui entachera désormais de suspicion tous leurs arrêts. Le premier conseil de guerre a pu être inintelligent, le second est forcément criminel."

(From the second column of the second page). "... J'accuse le second conseil de guerre d'avoir couvert cette illégalité par ordre, en commettant à son tour le crime juridique d'acquitter sciemment un coupable."

Out of these fifteen lines, the Government, warned by the report of M. Chambaraud to the Court of Cassation that their action in the former trial was distinctly illegal and would no longer be tolerated,

and dreading lest the illegality of Dreyfus' condemnation might now at length be legally proved, selected only three lines to cite in their summons as libellous.

These three lines were :

“Un conseil de guerre vient, par ordre, d'oser acquitter un Esterhazy, soufflet suprême à toute vérité, à toute justice.”

Thus, by omitting the references to the “illegality” committed and the “want of intelligence” displayed by the Court Martial which tried Dreyfus, the very subject which Zola and all men were discussing was, so M. Méline and General Billot confidently supposed, banished from the inquiry altogether.

Observe that, at this point in the story, the Government and the Generals, by their successive retreats, had practically admitted before France and the world that the whole of the charges made against them in M. Zola's letter were true, saving only the charge contained in the three lines they had alone ventured to take up.

They had practically made an open avowal that, except for these three lines, the eight charges I have quoted were impossible to rebut. That cannot be gainsaid. Yet it began to appear that, even in citing only these three lines, they had possibly cited just a line too much.

“Soufflet suprême à toute vérité.” Would not this entitle Zola to prove that Dreyfus was innocent? Would not he have the Court of Cassation with him on this point?

“Soufflet suprême à toute justice.” Would not this entitle Zola to prove that Dreyfus had been illegally condemned? Would not he have the Court of Cassation with him on this point also?

XXX.

A VOICE FROM ENGLAND.

ON April 11th, the excellent article in the “Times” appeared, pointing out that Count Enrico Castella’s explicit statement as to Esterhazy’s communication of documents to Colonel Schwartzkoppen and Colonel Panizzardi had not been denied by the German or Italian Governments, and that it appeared probable that, “even in a French court,” evidence of such terrible gravity would have to be listened to.

On April 15th, a prominent French supporter of Dreyfus received a letter from an English critic. It sums up the exact position of affairs at this precise moment, and it expressed the views of many critics and observers in England who had studied the case attentively from the beginning, and who recognised that the struggle going on in Paris was a struggle in which, with unusual emphasis and distinctness, the forces of darkness and tyranny were arrayed against the forces of liberty and light. It is not often that, in the clash and confusion of political

parties, one can say so undoubtedly : “ On the one side are those who desire truth, justice, freedom, the reign of law. On the other side are those who are supporting untruth, injustice, oppression, illegality,—and who are ready, in support of their cause, to fling to the winds every principle of equality and every civic obligation.”

The letter from England ran as follows :

“ Dear Sir,

“ May I venture—speaking with the greatest humility and deference—to say a few words relative to the present crisis in France ? My friends and I have watched the whole course of events, in which you have played such a prominent and admirable part, with the most heartfelt interest, and have endeavoured to possess themselves of every available scrap of information.

“ We have the greatest dread lest, owing to the unfair action of the Government in now purposely excluding M. Zola’s phrases concerning the “ illegality ” and “ want of intelligence ” of the Court Martial of 1894 from the citation, the same travesty of justice may take place next month at Versailles that took place last February in the Assize Court of the Seine.

“ To English lawyers and critics who have studied the case deeply, it appears that that there is only one way of avoiding this. I know you will not consider us presumptuous in setting our thoughts before you and M. Zola, for the matter is now one which concerns not only France, but the whole of humanity. It is, indeed, the unique glory of France that, at periods of crisis, she has the faculty of concentrating

upon herself the whole world's attention. In this affair the world has become one vast audience, watching with the most intense eagerness what is taking place in the theatre, so to speak, of Paris.

"Therefore, let me most anxiously urge that the real legal position is as follows. Beyond any possible doubt, General Mercier acted illegally in communicating one or more secret documents to the judges at the Court Martial of 1894, without the knowledge of the accused man, or his advocate. Beyond any possible doubt, General Mercier must have known that the *Code Militaire* is expressly subject to the civil code upon this point, and that he was acting illegally. Beyond any possible doubt, the seven judges at the Court Martial also acted illegally, in accepting and condemning upon evidence which had not been laid before the accused man and his defender.

"This being so, I submit with the greatest possible earnestness that the safest, the shortest, and the justest course to take would be frankly and publicly to charge General Mercier—and, if necessary, the judges at the first Court Martial—with illegally conspiring to compass the destruction of a French citizen.

"This is, as all the world most clearly discerns, what in fact *has* taken place. Would it not be well with absolute frankness to recognise and act upon the real position?

"The trial which is to take place at Versailles will, I most deeply fear, unless some new and decided action is first taken by the friends of Dreyfus, result in M. Zola being again convicted and sentenced, this time without the possibility of an appeal.

“For the prosecution, now that they have cut out of the citation the phrases which refer to the first Court Martial, will again be able to close the mouths of the witnesses on the question of the illegality of Dreyfus’ conviction (which is *the* question). And, this time, the prosecution will, I fear, through their successful *escobarderie*, have the letter of the law on their side.

“No doubt, the whole question of Esterhazy’s guilt will be open at the new trial, and the moral evidence against him will almost certainly be greatly strengthened. But, as it seems improbable that any direct accusation will be obtainable from Colonel Schwartzkoppen, or Colonel Panizzardi, I fear that even here legal proof may be impossible to acquire.

“On the other hand, the illegality of the first Court Martial has now become a historic fact. In this most singular story, where everything is unique, the illegality has become historic before it has become legally established. The only difficulty—I admit that the attitude of the Government has made it immense—is to turn a historic fact into a legal fact.

“It appears to us that the way to do this is directly to charge General Mercier and the first Court Martial with illegally bringing about the destruction of a French citizen. We speak, of course, as I have already observed, in genuine humility, and without extensive knowledge of French law. But it seems obvious that, if a legal action were brought against General Mercier and the members of the first Court Martial for what in England we call “unlawful conspiracy,” it would then be impossible for them to exclude or silence witnesses such as M. Salle and

M. Stock, who would be prepared to give evidence *on the very point contained in the charge.*

“I should like M. Zola to be fully aware that those of us in England who have read day by day with the deepest interest all that has appeared upon the subject in the French journals, perfectly understand that he and the brave French gentlemen—MM. Scheurer-Kestner, Trarieux, Thévenet, Jaurès, Grimaux, Demange, Paul Meyer, Labori, yourself, and the rest—who are fighting side by side with him in this magnificent struggle, are fighting for truth and justice; while their opponents, on the other hand, are obviously straining every nerve to violate justice, and to conceal truth.

“We also in England perfectly realise what, I grieve to say, does not yet seem to be realised in France: namely, that M. Zola and his companions, in fighting for truth and justice are fighting, as valiant and loyal *soldiers*, most distinctly for the honour of the French army, for the honour of French law courts, and for the honour of France.

“With all good hopes and wishes, I am, etc.”

I have thought it worth while to quote the above letter, as it clearly indicates the precise legal position of General Mercier. It was written in London and despatched on April 14th.

But that very evening the morning's papers arriving from Paris indicated that the tiny tear* in the meshes of the net of iniquity woven by Méline and

*Alluded to in the closing words of the last Section.

Billot had been discovered by M. Zola's advisers, and that a great hope had arisen that, after all, his witnesses might be able to give evidence to the truth freely in the May sunlight.

XXXI.

PELLIEUX THE ASTUTE.

By the middle of April, one of two things might be regarded as proved.

Either Esterhazy had acted as a spy on his own account—in which case, Colonel Henry and other subordinates at the War Office were almost certainly his accomplices, and assisted him in getting up the initial conspiracy against Dreyfus, and the subsequent conspiracy against Colonel Picquart. In this case the Generals were dupes, as Zola at first thought, and had “reposed too credulous a confidence in their subordinates.”

Or else, as I suggested when writing on the matter at the time of Zola's first trial, and as the French Government papers suggested several weeks later, Esterhazy had acted throughout as “an accredited agent of the Government,” as, in fact, what the French call a *contre-espion*, or “counter-spy,” and had assisted the War Office (unknown to Colonel Picquart, which is most singular) in tricking Ger-

many, Italy, and, very probably Russia; besides, most likely, doing a little honest treason (if I may so express myself!) on his own account.

By April 15th, after the assertions of Count Casella had remained so long completely uncontradicted by Colonel Schwartzkoppen and Colonel Panizzardi, critics became absolutely shut up to one or other of those two conclusions.

If the latter were adopted, very painful inferences would have to be drawn as to the part which must have been played, certainly by General Mercier, probably by one or more other generals besides, in getting up a sham accusation against an innocent man—Dreyfus—in order to be able to screen their pet *contre-espion*, Esterhazy, from the eyes of Germany and Russia, and, for as long as possible, from the eyes of France.

For it was obvious that, if Esterhazy were a *contre-espion* and wrote the *bordereau* under orders, General Mercier must have known this. General Mercier must have known this at the time when he charged and condemned Dreyfus. Therefore, General Mercier must have charged and condemned an innocent man wilfully, on the evidence of the *bordereau* which he knew was written by his own private *contre-espion*, even if he did not order the *contre-espion* to indite the *bordereau* for that very purpose. The argument was sound, and terribly damning.

But for a long time which theory would finally be proved correct, seemed very doubtful. On the one hand, General de Boisdeffre had made a written

statement to the *Agence Havas*, published on December 4th, 1897, declaring most emphatically that he had never seen or communicated with Esterhazy, and knew nothing whatever about him. On the other hand, the Government organs in April, 1898, were daily suggesting that Esterhazy had delivered his bundle of 162 secret documents to Colonel Schwartzkoppen by direct order of his chiefs, and with almost tearful eagerness were engaged in pointing out how lovely a thing patriotism is when it leads a French officer to sacrifice himself to such an extent as to stoop even to the task of a *contre-espion* for the sake of his country !

It was even reported that the astute Pellieux had, in conjunction with Boisdeffre, Gonse, and the rest, got up a little patriotic *comédie*, which was to be enacted at the forthcoming trial of Zola at Versailles. General de Pellieux, so it was stated, had been anxiously asked by General de Boisdeffre what would happen, if, as was at least conceivable, overwhelming proof of the treason of Esterhazy were to be produced at the trial. "Shall we not all be in a complete fix?" poor Boisdeffre doubtfully queried. "Not at all," replied Pellieux the astute, the wily Ulysses of the War Office. "All we have to do is to say that the *cher commandant* acted under our orders, and nobly sacrificed himself for France—and that Colonel Schwartzkoppen has been our docile dupe, and has uncomplainingly swallowed all the sour milk of false information which our indefatigable Esterhazy poured down his throat 162 times from the War Office feeding bottle. Enthusiastic cries of *Vive Esterhazy ! Vive le Général de Boisdeffre ! Vive l'armée !* will

surely follow ; fervent patriots will fall into each other's arms, weeping ; Rochefort will embrace Drumont, Drumont will embrace Judet, Judet will embrace Millevoye, Millevoye will embrace Arthur Meyer, our one patriotic Jew-editor, and Arthur Meyer will embrace—the opportunity for sketching out one of his most vigorous onslaughts upon “the traitor Dreyfus” in the *Gaulois*. A trial which may begin with somewhat in it of legal coldness, will close in a perfect frenzy of patriotic emotion.”

After this fashion, it was reported, argued Pellieux the astute, and certainly the Government papers seemed to be steadily leading up to some definite adoption of Esterhazy by the War Office as the perfect model of a French patriot. Whether the Government, in its blind and passionate hatred of Dreyfus and the Jews, was also prepared to suggest Esterhazy's letters to Madame de Boulancy as models for young French officers to form their letters to their lady-cousins upon, did not appear.

Neither did it appear quite clear whether the French authorities had realised that, even if they adopted Esterhazy as an esteemed and patriotic traitor, and allowed his 162 communications to Schwartzkoppen to be fathered upon the War Office, or even if Zola were killed outside the two-doored rat-trap of a court carefully prepared for him at Versailles, it was none the less already a matter of historic certainty that, if Esterhazy was a *contre-espion* and in that capacity wrote the *bordereau*, Dreyfus, against whom that same *bordereau* was the only real charge, must *per se*, on the face of it, be innocent.

Lawyers write history slowly, for the historic fact is often, as we see, far in advance of the legal fact. But lawyers write history most slowly when, as in this instance, they are assisting Jesuits panting for the blood of Jews, and military men panting for Royalist or Bonapartist money.

XXXII.

L'ESPION.

On April 21st, a very interesting article signed "Junius," appeared in the *Siècle*. It was entitled *L'Espion*, and its object was to prove conclusively that the hints that were being thrown out by the War Office journals to the effect that Esterhazy was a spy, but a patriotic spy in the service of France, were misleading.

It was, of course, the direct interest of the friends of Dreyfus, if possible, to discover and "run in" a real spy. If it could be shown that they had, ever since the discovery of the *petit bleu* by Colonel Picquart in the Spring of 1896, been on the track, not of a genuine traitor, but merely of one of their own secret agents, their case would by no means fall through, but it would be greatly hampered. It would become at once morally stronger, but legally

weaker. They would have more to prove, and the proof would be more difficult to obtain, for the simple reason that they would now be struggling not against a solitary spy, or a spy acting in concert with one or more subordinates, but against a secret agent acting in concert with a syndicate of general officers.

It was perfectly clear from the guarded suggestions—becoming less and less guarded as time went on—that were now appearing in such papers as the *Siècle* and the *Aurore*, that this fact, with all the difficulties attendant upon it, was becoming evident to the minds of the friends of M. Zola and Captain Dreyfus. If Esterhazy was a spy in the service of the French generals, the fact of his certainly having written the *bordereau* on which Captain Dreyfus was condemned, proved that there had existed in the year 1894, an iniquitous coalition against Captain Dreyfus at head-quarters. This, as I say, strengthened the case of the friends of Dreyfus morally, but made it enormously more difficult to prove legally, inasmuch as the interests at stake became so vast that it was clearly worth the generals' while to forge documents, to inspire lying articles in newspapers, and to bribe military witnesses to commit perjury to any extent, in order to shield themselves from the frightful consequences of discovery. And indeed, there did appear signs that some such corruption of military witnesses, and forging of documents, for production at the approaching trial at Versailles, was steadily proceeding.

Therefore, it became beyond all things expedient for the friends of Dreyfus to prove, if possible, that

Esterhazy was a genuine traitor, "*not* in the service of France."

Their arguments, as summed up by "Junius" in the article which appeared in the *Siècle* of April 21st, 1898, were as follows.

These arguments seemed to satisfy the Dreyfus party in France. For the moment, however, they did not satisfy English critics and students of the problem.

1.—"Junius" pointed out that on the fourth of December, 1897, in an official note published by the *Agence Havas* and sanctioned by the Minister of War, General de Boisdeffre had made the following affirmation on his honour as a soldier :

"Le Général de Boisdeffre n'a jamais vu ni connu le commandant Esterhazy, auquel il n'a jamais fait ni fait faire la moindre communication."

"Junius" argued that, unless General de Boisdeffre had told a lie, it was impossible for Esterhazy to be a spy in the service of France.

General de Boisdeffre had solemnly asserted that he had never *seen* or *known* Esterhazy, and had never *made*, or *caused to be made*, the least communication to him.

General de Boisdeffre, said "Junius," may certainly never have "seen" Esterhazy, even if the latter had acted for years as a Government spy.

But General de Boisdeffre, as Chief of the General Staff, *must* in such a case have "known" Esterhazy, and *must* have had occasion to "make" communications to him, or to "cause such to be made."

To thoughtful critics this did not seem so certain "Junius" assumed that General de Boisdeffre was

speaking the truth. But General de Boisdeffre, who was a faithful Catholic, might very well have believed that his duty in this instance compelled him *not* to speak the truth—or, at any rate, to fence with it. Throughout the matter, Ministers and Generals alike had shown the most extraordinary aptitude for subtle subterfuge and Jesuitical evasion.

However, even granting that General de Boisdeffre had spoken truth in the letter, was it so certain that this at once disposed of the hypothesis that Esterhazy was a Government spy? Was it so certain that, if Esterhazy was a Government spy General de Boisdeffre *must* have known that officer personally, or himself personally have communicated with him, or caused communications to be made to him.

On carefully thinking the matter out, it did not seem certain. Communications with reference to his trade of Government spy, might have been made to Esterhazy through other Generals.

Again: the use of the word *connu* was equivocal. A faithful Catholic like General de Boisdeffre might not unreasonably be expected to have been playing upon the double meaning of the word. He probably used it in its literal sense, which involves personal knowledge.

"Junius" was using the word in the sense of knowing *of* or *about* a person.

2.—The second "proof" brought forward by "Junius" to support his allegation that Esterhazy was certainly not a French Government spy, was the fact that neither Colonel Sandherr, Colonel Picquart, nor General Gonse had ever, so "Junius" argued, employed Esterhazy as a spy.

At the approaching trial at Versailles General Gonse and Colonel Picquart, "Junius" stated, would declare upon oath that the above officer had never, so far as they were aware, been employed as a spy by the French Government. That of course, is strong evidence.

As to Colonel Sandherr, who was dead, "Junius" argued that, if, while the Colonel was chief of the Intelligence Department, Esterhazy had been employed as a spy to deceive Colonel Schwartzkoppen, Colonel Sandherr would certainly have kept him in Paris, in the immediate neighbourhood of the German attaché whom he was so successfully duping in the interests of the French Government.

But, "Junius" pointed out, in the year 1892 Esterhazy was appointed commandant and despatched, successively, to Dunkerque and to Rouen.

Esterhazy protested loudly against thus being exiled from Paris, which he considered as a disgrace, and appealed to the Minister of War. But the Minister of War formally refused to retain Esterhazy in Paris.

Now Colonel Sandherr and the War Office, "Junius" argued, would have kept their spy in Paris, to facilitate his relations with Colonel Schwartzkoppen.

But to English students of the problem, this seemed a very weak argument. The wish was, too evidently, the father to the thought. The fact of Esterhazy's having been for a time removed from Paris clearly was not sufficient to prove that he never acted, while in Paris, as a Government Agent.

Esterhazy might have been removed from Paris for a time to lull suspicion. Moreover, why should he not have communicated with Schwartzkoppen through the post, people said. And indeed, if he was an accredited servant of the War Office, it was hard to see why he should not.

3.—The next argument of "Junius" seemed to him conclusive, and was also, apparently, deemed conclusive by a mind as astute and clear as that of Maître Georges Clemenceau.

But to English critics who had followed the whole case, it seemed, on the contrary, an argument *against* the idea of Esterhazy's having worked throughout as a wholly independent spy.

The argument was simply that when Colonel Picquart, in the year 1896, acquired through the discovery of the *petit bleu*, ground for suspecting Esterhazy of being a spy, General Gonse, General de Boisdeffre, and General Billot, instead of at once arresting Colonel Picquart's search, by stating to him that Esterhazy was actually a secret agent of the French Government, on the contrary to some extent encouraged Colonel Picquart to continue his enquiries, and professed to be greatly solicitous that he should discover the whole truth. (See General Gonse's letters to Colonel Picquart, quoted in Section X.)

But surely here the logic of "Junius" and the friends of Dreyfus was at fault. Assuming that Esterhazy was the secret agent of a small syndicate of French general officers, who had found the supply of false or unimportant information to foreign

attachés through the medium of Esterhazy a most interesting and lucrative employment, would it not certainly follow that discovery would be the one thing chiefly to be dreaded?

Would it not be safe to predict that, in such a case, the initiated few *would follow the very course which the Generals, in effect, did follow*, when Colonel Picquart first directed their attention towards Esterhazy, their secret agent?

Would not they, certainly, at first struggle to keep up appearances, and lend a seeming support to the inquirer?

Would they not, afterwards, when they found that the resolution and tenacity of the inquirer threatened to penetrate too deep, and to expose the whole disgraceful transaction, turn angrily upon him, and at any cost and by the most unscrupulous means, silence him? Or, if they could not silence him, would not they at any risk get rid of him, hurry him away from the spot, to the furthest corners of the earth, if possible—anywhere in fact, where his love of truth might no longer trouble their slumbers, and his incorruptible honesty no longer endanger their security?

This is, absolutely and exactly, what General Gonse, General de Boisdeffre, and General Billot *did*.

4.—On February 11th, 1898, during the first Zola trial, Colonel Picquart stated that on the eve of the Castelin interpellation, Esterhazy's friend, M. Maurice Weil, and also Esterhazy himself, received anonymous letters, informing them that they were about to be denounced as the accomplices of Dreyfus.

Esterhazy was in great distress of mind. He most earnestly besought one of the deputies, who was about to depose in the Chamber, to carry these letters to the War Office, and to undertake his defence.

“Junius” argued that, if Esterhazy had been a spy in the service of France, he would have been in no way troubled, or anxious. He would have quietly taken the letters to one of his chiefs. He would not have lost his head. He would have known that his superiors were bound to protect him.

This seemed plausible at first sight. But, on further consideration, it appeared by no means conclusive.

A man may feel very certain that, when placed in an unpleasant and equivocal position, no serious harm can happen to him. Yet the position in itself may be so unpleasant and so equivocal as to cause him considerable anxiety and uneasiness. Even if a man has been acting for years the quasi-patriotic part of a Government spy, it is not an agreeable thing to have the fact that he has been pursuing such a calling placarded in every town of his country. Moreover, in this wicked world, people are so narrow-minded and inquisitive. The Government spy might be suspected of occasionally doing a little business on his own account.

Besides, was it quite certain that his chiefs *would* support him? No doubt—as the sequel also has proved—he had, and knew that he had, some peculiarly strong hold upon them. If he had plotted, his superiors also had plotted, and it is not easy for

plotters to denounce plotters. Still, there is always a tendency on the part of conspirators in a high position to abandon, or even if possible to get rid of, unlucky sub-conspirators who can produce damning testimony against them. And, in these instances, it is generally the word of the chief which has weight, not the word of the subordinate. Might not the General Staff be even glad of an opportunity of disencumbering themselves of a dangerous and troublesome assistant?

Some such thoughts as these probably passed through the mind of Esterhazy. The mere statement of them proved to careful critics that "Junius" was again arguing too hastily. It seemed quite clear that even a Government spy, when suddenly likely to have all his proceedings dragged into the rude glare of daylight, might be expected to feel a sense of marked discomfort.

5.—The next "proof," according to "Junius," that Esterhazy was most decidedly not a Government rascal, but only a private rascal, was the fact that in the course of the year 1896 he had through two deputies demanded leave of the War Office to quit Rouen, and to return to Paris.

General Billot, Minister of War, peremptorily refused to recall him.

"Junius" argued that, if Esterhazy had been a Government spy, General Billot would not have expressed himself with such "harshness." General Billot would "have taken the ball on the bound," and would have been glad of the opportunity of recalling his favourite emissary to his accustomed sphere of operations.

Also Esterhazy, when his request was refused, broke out into strong language, and violently abused his chiefs in the columns of his convenient mouth-piece, the *Libre Parole*.

But again, was not "Junius" possibly wrong? If a general, or various generals, for certain private reasons which do not bear looking into, have been for years in the habit of employing a secret agent, and if that secret agent could if he chose "give them away" with the most astonishing and fatal effect, it is pretty obvious that they might be glad for many most cogent reasons to have their agent removed from their neighbourhood for a time, especially while that agent was under a cloud of suspicion.

General Billot's "harshness" might be only seeming "harshness," affected for the sake of appearances.

While as to Esterhazy's violent abuse of his chiefs in the *Libre Parole*, it might very possibly be the expression of absolutely genuine annoyance. Secret agents who know that they have a terribly strong grip upon their employers are often in the habit of giving very free rein to their tempers, when those employers have the misfortune to offend them.

6.—The last argument of "Junius" was to the following effect. If Esterhazy had been a spy in the service of France, he would not, "Junius" thought, have taken the trouble to go on October 16th, 1897, to the house of Colonel Schwartzkoppen, revolver in hand, and violently to insist upon that officer's forthwith stating positively to Madame Dreyfus that her husband was the real traitor.

Colonel Schwartzkoppen had given an account of

this interview to the Italian military attaché, Colonel Panizzardi. Colonel Panizzardi had related it to Count Casella. Count Casella had given upon oath an exact account of the matter in the *Siècle*. Count Casella, if president Delegorgue would have permitted it, would have given evidence upon oath to the same effect at Zola's first trial, and was ready to give this same evidence upon oath at the approaching trial at Versailles.

Neither Colonel Schwartzkoppen nor Colonel Panizzardi had contradicted by a single word Count Casella's narrative in the *Siècle*. They had by their silence, in face of a matter of the gravest possible social and political import, absolutely endorsed the version of what had passed between them given by Count Casella.

The *Jour*, acting in behalf of the War Office, had rather rashly endeavoured to invalidate Count Casella's statement, and had even gone so far as to print an account of a sham interview with Colonel Panizzardi, in which doubt was thrown upon Count Casella's accuracy.

Immediate application had been made by a representative of the *Siècle* to Colonel Panizzardi himself, who had stated that he had flatly refused to hold any conversation whatever with the representative of the *Jour*.

Count Casella had subsequently, in reference to the allegation in the *Jour*, despatched a telegram to Colonel Panizzardi, who was then at Berne. Colonel Panizzardi had instantly telegraphed back in the friendliest terms to Count Casella, stating that the contradiction of the story told in the *Jour* must have

appeared that morning (April 16th) in the *Siècle*, and absolutely endorsing that contradiction.

The story in the *Jour* was therefore pure invention—like nine out of ten of the War Office anecdotes.

All this was strictly true, and it was of the highest possible importance. It proved, beyond question, that Colonel Panizzardi the Italian attaché, and therefore also his friend and informant, Colonel Schwartzkoppen, the German attaché, entirely supported and approved Count Casella's revelations published in the *Siècle*, concerning Esterhazy's long-continued traffic in secret documents, and his visit on October 16th, 1897, to the German attaché. This, again, proved beyond question that Esterhazy was a spy, and a scoundrel.

But it did not prove the further point which "Junius" considered it did. It did not prove that Esterhazy was not what one may call "a Government scoundrel," supported by still greater scoundrels in higher positions. It did not prove this, for the simple reason that, as I showed in examining proof No. 5 of "Junius," a man may be "a Government scoundrel" and may still be exceedingly nervous.

Moreover, was it at all conceivable that French generals, even to support a *chose jugée* and establish their perspicacity in the matter of Dreyfus before their subordinates, would take such prolonged and astonishing trouble in defence of an ordinary spy? After the perfectly crushing evidence against Esterhazy produced by Count Casella, and tacitly endorsed both by Colonel Schwartzkoppen and Colonel

Panizzardi, would not French generals, unless the traitor had some private hold upon them, be positively compelled, for the sake of their own credit, nay even of their very existence, to disown and denounce him ? Their position, in face of the acknowledged letters to Madame de Boulancy, was almost inexplicable, but, in the face of the uncontradicted evidence of Count Casella, it became totally inexplicable, unless explained by the fact of some secret and all-compulsive link existing between them, personally, and the spy Esterhazy.

To students and critics out of France, these arguments seemed to suggest a most painful and deplorable condition of affairs at the French War Office. But, at the same time, to such students and critics, these arguments appeared unanswerable.

XXXIII.

THE WAR OFFICE FORGER AT WORK AGAIN.

At the end of April it became abundantly clear that the same convenient and skilful forger who had already done such signal service to Esterhazy and his friends at the French War Office was again actively at work.

On Monday, April 25th, the following paragraph,

under the title of *Un Voyage Mystérieux*, appeared in the *Echo de Paris* :

“ L'un des principaux agents du syndicat vient de faire en Allemagne un voyage au cours duquel il a, croyons-nous, préparé les éléments d'un nouveau scandale. Ce n'est pas la première fois que ce personnage passe la frontière ennemie. On s'est même étonné, à une certaine époque, de la bienveillance avec laquelle les autorités allemandes fermaient les yeux sur ces allées et venues qui n'eussent jamais été tolérées s'il s'était agi d'un voyageur ordinaire.”

That was the artistic and gentle insinuation, without mentioning names, which began the attack. From the very commencement of the plot against Captain Dreyfus in the autumn of 1894, the same method of artistic and subtle falsehood was pursued, as I have shown in the development of this work. It was, indeed, precisely the method which one would naturally expect from the Jesuits who were using the case of Captain Dreyfus as an engine of war against the Protestants, the Jews, and the Republic.

Then a further step was taken. In the *Gaulois* of April 30th, M. Arthur Meyer wrote :

“ Nous ne sommes pas un journal à ‘ petits papiers,’ et nous entendons laisser à qui de droit le soin de produire au grand jour, lorsque l'heure en sera venue, les preuves auxquelles nous avons fait allusion.

“ Disons simplement que, si nous avons parlé d'une *preuve matérielle établissant une entrevue, à Carlsruhe, entre l'attaché militaire allemand et le principal témoin de M. Zola, c'est qu'il existe une photographie de l'entrevue de ces deux importants personnages.*

“ Nous sommes d'ailleurs—une fois n'est pas coutume—complètement d'accord avec le *Siècle* sur la nécessité de faire la lumière la plus complète. Non que nous

espérons convaincre ceux qui ne veulent pas être convaincus, mais parcequ'il faut absolument éclairer les braves gens dans l'esprit desquels certaines défaillances gouvernementales, habilement exploitées, et une certaine campagne odieuse, ont pu jeter des doutes.

"Il serait téméraire, en effet, d'espérer que M. Zola et ses amis ont renoncé à poursuivre l'agitation qu'ils ont provoquée. Il n'y a donc qu'un moyen d'en finir : *c'est de produire en plein jour les preuves éclatantes que l'on a de la culpabilité de Dreyfus. Nous savons que ces preuves existent*, et nous espérons qu'on n'hésitera pas à les sortir.

"Il ne faut pas couper un bouton vénéneux, il faut en arracher la racine."

Notice the shameless impudence of the last passage italicised. To produce in full daylight the absolutely convincing proofs of the guilt of Captain Dreyfus was precisely what that officer's friends had been for years vainly challenging the Government and the War Office to do. It was precisely what M. Scheurer-Kestner, at his historical interview on October 31st, 1897, with his old friend, General Billot, with the most passionate earnestness implored the latter to do; saying, "Only convince me completely of the guilt of Captain Dreyfus, and I will promise you at once to proclaim my conviction upon the house-tops!" It was precisely what the Government and the War Office, from first to last, were not in a position to do, and knew that they were not in a position to do.

After these feelers had been thrown out by the *Echo de Paris* and the *Gaulois*, the *Jour* ventured a step further, and, on May 1st, made the following statement :

“ *Le gouvernement sait, de source absolument sûre, qu’un des principaux membres du syndicat dreyfusard, l’un des agents du complot international, a eu une entrevue à Bade avec l’ex-attaché militaire allemand Schwartzkoppen, chef de l’espionnage en France.*

“ *La preuve de cette entrevue est évidente, irréfutable, puisque cette preuve—comme celle de la fameuse entrevue Dupas-Arton à Venise—est photographique, et qu’un instantané a été pris au moment où le traître, agent de Zola, se rencontrait avec l’officier allemand.*

“ *Nous sommes donc, aujourd’hui en présence d’un acte nouveau de trahison !*

“ *Et le gouvernement reste coi ! Et il n’intervient pas, et il ne proteste pas près du gouvernement allemand contre le rôle infâme joué par un aide de camp de Guillaume II dans la plus abominable des intrigues contre la France, et il n’a pas ordonné l’arrestation immédiate du nouveau traître et de ses complices du syndicat.”*

Notice that the same complete contempt for accuracy in small points which was shown by Colonel Henry, Commandant Lauth, Commandant Ravary, and other military witnesses at Zola’s first trial, still prevailed among the supporters of the War Office. The *Gaulois* states that the instantaneous photograph of the alleged meeting between Zola’s “principal witness” and Colonel Schwartzkoppen was taken at Carlsruhe. The *Jour* states that the instantaneous photograph of the same meeting was taken at Baden-Baden. It is certainly convenient to be able to call upon a “principal witness” possessed of the gift of being in two places exactly at the same moment !

Lastly, on May 2nd, came an article in which the *Jour* stated, with absolute definiteness and precision :

“ *En ce qui concerne le principal témoin de la famille*

Dreyfus, l'ex-lieutenant-colonel Picquart, l'état-major aura d'autant moins de peine à établir le triste rôle joué par cet individu, *qu'on pouvait le voir* encore la semaine dernière se promenant bras dessus bras dessous à Carlsruhe avec M. de Schwartzkoppen, l'ancien attaché militaire allemand à Paris.

"Le 5 avril, M. Picquart quittait Paris et était le lendemain en grande conférence à Carlsruhe avec un mandataire de la banque Schreider; il voyait M. de Schwartzkoppen deux jours après, *et ces Messieurs ne se quittaient que vers le 20 ou le 21.*

"Pourquoi toutes ces entrevues et dans quel but ?

"La question est évidemment naïve, et nous savons ce qu'il faut en penser. *Nous avons là une photographie à l'appui, démonstration évidente de l'entente qui règne entre la famille Dreyfus, M. Zola, et les ennemis de la France, preuve manifeste du rôle odieux joué par M. Georges Picquart, que certains esprits enclins à la gaieté appellent, nous ne savons trop pourquoi, Georgette Picquart.*

"*S'il ne dépend que de l'état-major, répétons-nous, nous saurons toute la vérité. Nous souhaitons qu'elle éclate, absolue.*

"Nous serons alors fixés sur le rôle de ceux qui furent dreyfusards, soit par dépit, soit par nécessité.

"Il y a des besognes qu'on n'accepte pas."

There is no use in doing things by halves, and I have quoted the above extracts at considerable length as it is impossible, except by giving actual entire passages from the French papers of the period, to convey to English readers any idea of the extraordinary condition of French journalism in the year 1898.

For instance, the statements quoted in the *Jour* were as distinct, as clear, as categorical, as any statements could possibly be.

They affirmed that on the 5th of April Colonel Picquart left Paris, and that he held an important conference the next day at Carlsruhe with an agent of the Schreider bank.

They affirmed that Colonel Picquart, two days after leaving Paris, met the German former military attaché, Colonel Schwartzkoppen, and that these two gentlemen never left each other till towards the 20th or the 21st of April.

They affirmed that the War Office actually had in its possession, and was most willing and eager to produce, an instantaneous photograph of the meeting between Colonel Picquart and Colonel Schwartzkoppen at Carlsruhe—or Baden-Baden, as the *Jour* first stated.

They affirmed that Colonel Picquart was a traitor; and the *Jour* went on to demand that the Government should order him and his accomplices to be “instantly arrested.”

Now these assertions were all completely false. They were pure invention from first to last. Colonel Picquart, most fortunately, was in a position to prove that he had never left Paris since November 26th, 1897, the day when he returned from Tunis. He was able, as we say, to prove an absolute *alibi*, by bringing forward friends who had seen him every day in Paris during the period between April 5th and April 21st.

But really devilish cunning and ingenuity were shown in devising this new plot against Colonel Picquart; as, if he had been away from Paris at all (as his enemies imagined he had), such an accusation, in the unwholesome and feverish state of

French public opinion, would have utterly destroyed his credit before the trial at Versailles.

That, in fact, was simply the meaning of the dastardly attempt made by the six papers which supported the War Office in the matter—the *Echo de Paris*, the *Gaulois*, the *Jour*, the *Patrie*, the *Intransigeant*, and the *Petit Journal*. These six papers—let their names be handed down to posterity as having played a thoroughly infamous part from first to last through a great historical episode—united in endeavouring to blast the character of the youngest and one of the most brilliant Colonels in the French Army, in order to defend, if possible, to the very last, the system of management pursued at the War Office; a system resting on sustained lying and forgery.

That is why I quoted the above extracts; and why I have, throughout this work, quoted at very great length from original sources. If I had not done so, English readers would have thought my words too strong and my criticisms unjust. No one who did not daily study the French papers during the acute period of the Dreyfus case, can have the slightest idea of the “rivers of lies” (to quote M. Zola’s expression) which were poured forth through the Press by the friends of Esterhazy and the War Office, and of the absolute truth of M. Zola’s words, when in his letter to the *Aurore*, he accused the War Office of “having waged in the Press, especially in the columns of the *Eclair* and the *Echo de Paris*, an abominable campaign, with the express purpose of misleading public opinion and of concealing their fault.”

As to the alleged instantaneous photograph of the meeting between Colonel Picquart and Colonel Schwartzkoppen, it either had no existence, or it was another forgery added to the long list*. The fact that Colonel Picquart was able to establish that he had never left Paris, conclusively proved that any such photograph must be an article turned out from the factory of the War Office forger.

More than this : the clear proof that in this case the defenders of the army had beyond doubt availed themselves of a forgery made it practically certain that their whole catalogue of documents—documents of an exactly analogous description and supported by just a little real evidence—contained nothing but forgeries.

The *Speranza* letter†; the *Speranza* and *Blanche* telegrams‡; the alleged instantaneous photograph (the strong *pièce* of secret dossier No. 2) of Captain Dreyfus meeting the agent of a foreign government at Brussels§; the alleged letter of one foreign military attaché, to another foreign military attaché, referred to so triumphantly by General de Pellieux at Zola's first trial; the letters concerning Dreyfus said to have been addressed by the Emperor William to Count Münster; the alleged letter from Count "Otto" to Esterhazy, which Lemer cier-Picard attempted to palm off upon M. Joseph Reinach||; the letters denouncing Captain Dreyfus

* Later evidence has made it almost certain that the photograph was forged by that worthy gentleman, Commandant Lauth, who appears to be the official photographer specially attached to the War Office "School of Forgery."

† See page 75.

‡ See page 76.

§ One of the War Office secret agents himself admitted that this photograph was not taken till "six months after the condemnation of Captain Dreyfus !"

|| See page 127.

which, it appeared, had been received by the Intelligence Department; the letters or papers signed *Maximilien*, *Alexandrine*, or *Chien de Guerre*, and intended to prove that Captain Dreyfus had communicated with Colonel Schwartzkoppen through the medium of an attaché belonging to another country, who made use of those pseudonyms, all, it was gradually becoming only too plainly evident, were part of the same iniquitous system, and had been forged, or presented, by the same unscrupulous hands.

Colonel Picquart, of course, at once responded to the accusation in the *Jour*, by challenging the Editor instantly to produce his evidence, and by commencing legal proceedings against that paper.

It was at first arranged that the affair should come before the 9th Chamber of the Correctional Tribunal, presided over by M. Richard.

But, as by French law the editor of the *Jour* would not have been permitted to produce his proofs before a police tribunal, an outcry was raised by Colonel Picquart's slanderers to the effect that he was taking an unfair advantage—the very trick, by the way, that the three valiant Government experts, MM. Belhomme, Varinard and Couard, had recourse to, without the slightest hesitation or scruple, in order to defeat the ends of justice and obtain heavy damages, in their action against MM. Zola and Perrenx—that he might probably succeed in obtaining a conviction, but that their proof would none the less remain intact, and so on.

Therefore, in order that the *Jour* and the War Office traducers might have no possible loophole of escape left to them, Colonel Picquart rightly

changed his method of attack ; withdrew the proceedings from before the police tribunal ; placed a formal *plainte* in the hands of M. Atthalin the Procureur of the Republic ; demanded that M. Bertulus, the *juge d'instruction* who was still inquiring into the matter of the *Speranza* and *Blanche* telegrams, should extend his investigation to the new calumny ; and in this way provided for his accusers the most complete and exceptionally favourable opportunity of producing all the proofs which might be in their possession—including the wonderful instantaneous photograph.

Colonel Picquart's letter to the Procureur of the Republic was as follows :

"Monsieur le Procureur de la République,

"J'ai l'honneur de porter à votre connaissance trois articles parus dans le journal *le Jour*, portant les dates des 1, 2 et 6 mai et dans lesquels il est raconté que, dans le courant du mois d'avril dernier, j'aurais eu, soit à Bade, soit à Carlsruhe, diverses entrevues avec M. de Schwartzkoppen, ancien attaché militaire allemand à Paris.

"Le signataire des ces articles déclare être en possession de certaines preuves. Comme je suis en mesure d'établir péremptoirement que je n'ai pas quitté Paris depuis le 26 novembre, date de mon retour de Tunisie, il est évident que ces prétendues preuves ont la même origine que les faux à l'occasion desquels vous avez prescrit l'ouverture d'une instruction.

"Je viens, en conséquence, vous prier, monsieur le procureur de la République, de transmettre ces nouvelles indications à M. le juge d'instruction, en le priant de diriger de ce côté une information dont les résultats l'éclaireront, sans aucun doute, sur l'instruction en cours, et j'étends, en tant que de besoin, ma plainte à ces nouveaux faits.

"Agréez, etc.

"G. PICQUART."

The matter was indeed perfectly simple, as Senator Trarieux pointed out in his letter to the Prime Minister. If there had been any honest desire in official quarters to ascertain the facts, they could have been ascertained without the slightest trouble.*

But the Government did not dare to take up Colonel Picquart's clear and manly challenge, and to press the matter home.

How could they? Seeing that they were now as it were, holding their Cabinet Councils in a room the whole floor of which was beginning to be littered with forged documents!

As for General de Boisdeffre, General de Pellieux, Commandant Ravary, M. Rochefort, M. Arthur Meyer, and the rest of the good friends of Esterhazy, with their continual threats that if their opponents did not take care they would "explode the bomb," and astound France by producing the most appalling evidence of Dreyfus' guilt, and their continual failure to do anything of the kind the moment they were taken at their word,—as for these officers and editors, they put me in mind of nothing so much as of a mob.

*M. Trarieux, interviewed by the *Siècle* in reference to his letter to M. Méline said :—

"Que M. le procureur de la République mande le journaliste qui a dénoncé comme traître le lieutenant-colonel Picquart et l'invite à révéler d'où il tient la nouvelle dont il a certifié l'authenticité. Ou ce journaliste sera dans l'impossibilité d'indiquer son auteur, et alors il sera avéré que, sans excuse aucune, il a calomnié le ministre de la guerre en lui reprochant de rester impassible devant les preuves d'une trahison. ou bien il pourra expliquer l'origine de son information, et, en ce cas, c'est du côté de celui ou de ceux derrière lesquels il aura pu se retrancher que les recherches devront être poursuivies."

Siècle, May 5th, 1898.

This also exactly describes the method of investigation which ought to have been pursued, and which could easily have been pursued, in the matter of the false information published by the *Eclair*, and connived at by the War Office, on September 15th, 1896. See page 64.

of little London urchins who cry "Boo!" to the policeman behind his back, but, the moment he turns, are off like lightning round the nearest corner!

I will not dwell upon the most disgraceful "Georgette" paragraph, quoted in the above extracts from the *Jour*, further than to remark that these were the ways adopted, on the eve of the trial at Versailles, by the defenders of "the honour of the army," and winked at by its chiefs, with a view to discrediting, and that by the foulest and most detestable means, the one member of the French army of 1898 who had dared to speak the truth.

XXXIV.

THE CONSEILS GÉNÉRAUX.

The *Conseils généraux*, or County Councils, of France are properly concerned with what we should call parochial, or, at most, departmental and cantonal interests. They have no competence in judiciary matters, and are expressly forbidden by the law to interfere in questions of politics.

The opponents of the revision of the Dreyfus case did, however, by most diligent wire-pulling succeed in obtaining from several of the *Conseils généraux*, on the eve of the polling which took place on May

8th, 1898, definite expressions of opinion calculated to influence the electors against that most desirable and necessary revision. It is worth mentioning that the parcels of the excellent little *brochure* by M. Yves Guyot, called "*L'Innocent et le Traître*," which were posted on May 2nd with a view to enlightening electors as to the real facts of the matter, were never delivered till *Monday, May 9th*. The voting took place on Sunday, May 8th. This careful retention of M. Guyot's pamphlet for a full week by the French Post-Office is one of the most significant points of the controversy.

However, in spite of all the efforts of the anti-revisionists, only 26 *Conseils généraux* out of 87 expressed definite opinions on the Dreyfus affair.

The following is the list, taken from the *Temps* of April 20th, 21st, 22nd, 23rd, 24th, and 25th.

Hautes-Alpes, *Mayenne*, Tarn, *Gers*, *Lot-et-Garonne* ;
 Aisne, Somme, Tarn-et-Garonne, *Loire-Inférieure* ;
 Ardèche, Calvados, *Manche*, Haute-Saône, Sarthe,
 Vienne, *Charente*, *Finistère*, *Maine-et-Loire*, *Haute-Marne*,
Seine-et-Oise ;

Dordogne, Pyrénées-Orientales, *Corrèze* ;

Basses-Alpes, Alpes-Maritimes ;

Rhône.

Of these twenty-six *Conseils généraux*, fourteen* confined themselves to expressing in a general way to the army, with more or less indignant protestation against its supposed "enemies," their sympathy and confidence.

The only point worth remarking in reference to the declarations of these worthy people is the in-

*Those not printed in italics in the above list.

cautious way in which the *Conseil* for Haute-Saône completely let the cat out of the bag, by committing themselves to the following over-frank utterance :—

“ Le Conseil, regrettant le mouvement d'opinion produit par l'affaire Zola-Dreyfus, qui trouble profondément le pays *dans le commerce et le patriotisme...* ”

That was an absolutely true expression of French *bourgeois* feeling, from first to last, in the Dreyfus affair. But it was a little rash of the members of the *Conseil* for Haute-Saône to give such very plain utterance to their conviction that “business” was the one thing in this world worthy of consideration,—ranking even before “patriotism !”

Two *Conseils généraux*—those of La Manche and the Basses-Alpes—condemned “*la criminelle campagne,*” or “*les insulteurs de l'armée et de la justice militaire.*”

The *Conseil général* of La Mayenne voted “*une motion contre la revision du procès Dreyfus.*”

The remaining nine of the twenty-six *Conseils généraux* who thought it their duty to intervene in the matter, gave vigorous expression to their feelings, and I think it worth while to quote their utterances verbally. It is impossible to provide the student of the subject with more convincing evidence of the complete bigotry and blindness which was steadily alienating from France the affection of her noblest sons, and losing her the respect of the civilised world.

Gers.—“ Les soussignés...expriment le voeu que le gouvernement, fidèle aux engagements solennellement contractés par le président du conseil, mette un terme à la campagne odieuse qui compromet l'honneur et la sécurité de la patrie.”

Loi-et-Garonne.—“ Le Conseil émet le vœu que des mesures énergiques soient prises contre les agissements pratiqués pour affaiblir la réputation de l'armée et de la justice.”

Loire-Inférieure.—“ Vœu flétrissant les meneurs de la campagne contre l'armée et l'honneur de ses chefs, et invitant le gouvernement à prendre les mesures nécessaires pour que pareils faits ne se reproduisent pas.”

Charente.—“ Vœu que le gouvernement de la République use de tous les moyens en son pouvoir pour imposer définitivement et promptement le respect de la loi et de l'armée aux factieux qui, sans motif, sans preuve et sans droit, osent troubler la France et outrager les tribunaux militaires.”

Finistère.—“ Le Conseil général...se faisant l'interprète des sentiments patriotiques du pays breton, envoie à l'armée, à ses chefs et à ses soldats, l'assurance de sa profonde affection et l'hommage de son absolue confiance ; exprime le vœu que le gouvernement prenne les mesures que comportent les circonstances contre les meneurs de cette campagne attentatoire à l'honneur de la patrie.”

Maine-et-Loire.—“ Les soussignés, interprètes des sentiments patriotiques des populations du département de Maine-et-Loire adressent à l'armée l'assurance de leur attachement et de leur confiance dans ses chefs, et expriment le vœu que le gouvernement, fidèle aux engagements pris par le président du conseil à la tribune de la Chambre, mette un terme aux agissements indignes qui compromettent l'honneur du pays et la sécurité de la défense.”

Haute-Marne.—“ Les soussignés, interprètes de l'émotion profonde causée dans le pays par les outrages dont l'armée nationale a été l'objet, protestent contre ces outrages avec indignation, adressent à l'armée l'assurance de leur confiance, de leur attachement à ses chefs, et expriment le vœu que le gouvernement, conformément à ses déclarations, mette un terme à la campagne déplorable qui trouble le pays, compromet l'honneur et la sécurité de la patrie.”

Seine-et-Oise.—" Le Conseil général, profondément ému des attaques dirigées contre les chefs de l'armée, émet le vœu que le gouvernement prenne les mesures nécessaires pour mettre fin à une pareille campagne..."

Corrèze.—" ... Considérant que l'agitation faite ces temps derniers autour du traître Dreyfus, justement et légalement condamné par le Conseil de guerre pour crime de trahison, blesse profondément les consciences françaises et est de nature à compromettre la sûreté de l'Etat, les membres du Conseil estiment qu'il y a lieu d'inviter le gouvernement à user de tous les moyens en son pouvoir pour faire cesser cette agitation antipatriotique, envoient à l'armée tout entière l'expression de leur confiance et de leur sympathie."

One's first feeling, after copying these nine declarations, is that one has been copying the same, or very nearly the same, form of words, nine times over. It is pretty evident that there was little or no real independent expression of feeling in all this, and that the Government draftsman had been at work, and had drawn up a neat and apt form, to which the worthy members of the nine *Conseils généraux* in question simply affixed their signatures. I think, however, that it would have been more artistic—though, no doubt, less frank—on the part of the Government draftsman, if he had taken the trouble to vary the wording of his document a little.

The next important point to call attention to is that, out of the nine vigorously vocal departments, only three had an entirely republican representation : Lot-et-Garonne, Haute-Marne, and Corrèze.

In Gers, Loire-Inférieure, and Maine-et-Loire, the Bonapartists, Royalists, or clerical Reactionists, held a majority.

In Charente and Finistère, clerical and reactionary influences were, of course, exceedingly powerful. As for the department of Seine-et-Oise—which had been carefully selected by the Government for the scene of the second trial of Zola—it still remained one of the last fortresses of Boulangism.

This little analysis will serve to show, still more conclusively, that the Dreyfus affair was by this time, without the slightest reference to the inherent right or justice of the matter, simply being made use of by the clerical and reactionary party as a powerful battering-ram wherewith, if possible, to make a breach in the walls of the Republic.

In fact, it had come to this, that, outside the ranks of the older and more serious Republicans—men, unfortunately, few in number—no one could be trusted to give sound advice to the electors, or to set the truth before them. Men such as M. Prosper Allemand, men who had been proscribed in December, 1851, and who had subsequently assisted at the formation of the Republic, grasped the real situation, and spoke with force and courage. But the younger men, who had found the Republic ready-made for them, and had not passed through the strife and agony attendant upon the birth-period of that Republic—men among whom it is painful to have to number the son of M. Prosper Allemand, M. César Allemand the Senator—these were, one and all, too selfishly engrossed in position-hunting and in safeguarding their material interests, to care one straw for such remote questions of principle as whether an illegally condemned, and very probably innocent man, was being shamefully done to death

at Devil's Island. The matter interested them, certainly. But it only interested them because it hampered and perplexed M. Méline and the Ministers from whom they counted upon obtaining posts and favours, and because, if not speedily and summarily dealt with, it might result in the dismissal of those Ministers from office—and the consequent downfall of the hopes of the seekers after position and emolument. The younger men therefore took an interest in the Dreyfus case; but they took an interest in it simply with a view to seeing it hushed up and shelved at the very earliest possible moment—for the sake of themselves and their ministerial patrons.

M. Prosper Allemand, the brave old representative of the people and proscrip't at the time of the Coup d'Etat, supported the candidature of M. Joseph Reinach at Digne in the Basses-Alpes, and issued an address to the electors, from which I will quote a few words. He pointed out the real position, and spoke the exact truth.

He said :

“ Je trouve fort bien que les représentants des électeurs au Conseil général et au Conseil d'arrondissement ne se préoccupent pas seulement des intérêts départementaux et cantonaux. Ayant eu la confiance des électeurs, *ils doivent les conseiller*, quand ceux-ci les consultent, quand quelque hésitation se produit.

“ Cela est incontestable lorsqu'il s'agit de questions politiques présentant un intérêt général. Mais *ces conseils doivent toujours être conformes aux principes que notre grande Revolution a proclamés*, qu'elle a propagés dans le monde entier, et qui sont : *la Justice et la Liberté*.

“ Les conseils doivent être tenus pour fâcheux et pernicieux quand ils tendent, au contraire, à ramener les

électeurs vers les idées surannées et rétrogrades des anciens temps, de ces régimes qui, pour l'honneur et le bonheur de l'humanité, ont été répudiés à tout jamais.

"Ceux qui devraient être nos directeurs politiques me paraissent *avoir méconnu la situation*, les devoirs qui en résultent pour les républicains, et les vrais intérêts de cette arrondissement de Digne que je connais depuis si longtemps et que je connais bien.

"*Les conquêtes de la Revolution sont attaquées, depuis plusieurs années, par des hommes qui veulent rétablir, sous des noms à peine nouveaux, les castes d'autrefois, les classes abolies en 1789, et qui poussent aux guerres de religion. Tout ce qui vient de ces hommes est suspect.* Il ne faut pas beaucoup de clairvoyance pour voir ce qui se cache sous leur masque.

"*Vos représentants auraient dû résolument barrer la route à ces tentatives de réaction ; ils s'apercevront trop tard qu'ils se sont mis à la remorque de leurs ennemis.*

"Vous savez, mon cher ami,* quelle est mon affection pour le député sortant, que j'ai connu tout jeune aux soirées de Gambetta, dont il était déjà le secrétaire. M. Joseph Reinach, par son zèle, par son dévouement, par une légitime influence qui ne peut au reste que grandir, a fait beaucoup de bien à notre arrondissement. Retiré de la lutte, mais toujours juste, je lui en suis très reconnaissant.

"*On a tort de lui reprocher d'avoir obéi à sa conscience dans l'affaire qui occupe tous les esprits depuis tant de semaines. Il faut toujours obéir—croyez-moi,—à sa conscience.* Et puis j'observe que M. Reinach marche d'accord avec les plus vieux républicains, les hommes les plus sérieux et les plus honorables, les savants, les *intellectuels*,† qui sont la gloire de la France.

* M. Prosper Allemand's address was first written as a private letter to an elector, and afterwards, by the former's permission, reproduced in the newspapers of Digne, and placarded.

† It throws a singular side-light on the incidents of this unhappy discussion that the term *intellectuels* had by this time become in France a term of reproach, flung by the Esterhazians in the teeth of the supporters of Dreyfus. Certainly, "intellectual" would be the very last epithet one would think of applying to such men as Commandant Ravary, Commandant Besson d'Ormescheville, M. Bertillon, M. Teyssonnière, and the Government draftsman of the nine identical declarations of the nine *Conseils généraux* !

“ Pour moi, je lui sais gré d'avoir agi sans peur et sans crainte pour la défense de la Liberté et de la Justice, de la Justice qui n'est pas infallible, mais qui reconnaîtra bientôt son erreur et mettra un terme à l'épouvantable martyre d'un innocent.

“ JE VOTERAI POUR LUI.

“ Le 20 avril, 1898.

“ DR. PROSPER ALLEMAND,

“ Ancien représentant du peuple à l'Assemblée Nationale et à la Chambre des Députés, ancien Président du Conseil Général, chevalier de la Légion d'honneur.”

That is an electoral address which deserves to be printed in letters of gold, and handed down to history. Like the speech of M. Thévenet at Zola's first trial,* like the speech of M. Grimaux at the same trial, like M. Zola's letter of accusation to the *Aurore*, it is one of the landmarks in the strange and painful story; a finger-post on the path of honour, just as the above nine identic declarations of the nine clerical *Conseils généraux*, the election addresses of Teissonnière† the blunt, and Develle the unscrupulous, and the letter of the nervous Bishop of Amiens to Drumont the Jew-exterminator, are finger-posts on the path of infamy.

I have dealt with the nine identic declarations; except with the passage printed in heavy-faced type‡ which I shall in a few moments have the pleasure—or sadness, more accurately call it—of commenting upon. But first let me call into the witness-box of history Teissonnière the blunt, Develle the unscrupulous, and the nervous Bishop.

*See page 127.

†Not to be confounded with Teyssonnière, the interesting Government expert who gave evidence at the trial of Captain Dreyfus, and who was subsequently rayé from the list of experts officiating at the Court of Appeal.

‡See page 184.

Teissonnière the blunt, who was a candidate for the ninth *arrondissement* of Paris, made no bones about the matter. He is evidently a man of astonishing frankness and decision. He simply said :—

“ Voter pour Lourdelet est indigne.

“ Il a osé dire : ‘ *Je ne sais si Dreyfus est coupable ou non,*’ ce qui est à la fois une bêtise et une infamie ; une bêtise *parce que tous les juifs sont des traîtres* ; une infamie, parce qu’il cherchait ainsi à ébranler la solidité de l’armée en mettant en doute *la compétence et la loyauté de ces chefs.*”

To paraphrase the above : “ It is a disgraceful thing to vote for my opponent, for he has committed the folly and infamy of expressing a doubt as to the guilt of Dreyfus.

“ Such a doubt is foolish ; because Dreyfus is a Jew, and as the greater contains the less, and *as all Jews are traitors**, Dreyfus, the individual Jew, *must* be a traitor.

“ Such a doubt is also infamous ; because the present authorities at the War Office are infallible, and to express a moment’s hesitation as to this would endanger the discipline of the army.”

This method of reasoning certainly has the merit of great simplicity.

It is, however, cheering to learn that the ninth *arrondissement* of Paris, when the matter was put to the vote, committed the “ folly and infamy ” of rejecting Teissonnière the blunt by 14,821 voices against 377.

General Lespiau, another ally of the War Office and enemy of justice, was at the same time rejected

* This must have been extremely pleasant for the hundreds of Jewish officers in the French army, some of whom were generals, to hear. Massena, by the way, was a Jew.

by the fifteenth *arrondissement* of Paris ; rejected by 14,821 votes against 2,900.

General Rébillot, whose foolish and Chauvinistic electoral address will be remembered, was rejected by the seventh *arrondissement*: 15,812 votes against 662.

M. H. de France, another "nationalistic" (that is, clerical and militaristic) candidate, was rejected by the second *arrondissement* of Paris: 12,070 votes against 871.

While, on the other hand, M. Fiquet, who had come forward at Amiens as a Dreyfusian candidate and against whom a campaign of the utmost virulence had been waged, succeeded in winning his seat by a considerable majority.

All these incidents began to throw into clear relief the astuteness of the Government in selecting Versailles for the scene of the second trial of M. Zola. For not only was the Court at Versailles practically part of a barrack ; not only was it so small that it would be almost certainly impossible to provide accommodation for all the reporters of French newspapers, to say nothing of those of foreign journals ; but also, the town of Versailles being the abode of a very great number of half-pay officers, the Government were fully aware of the class from which the jury would probably be largely drawn.

After first pointing out that another Government candidate, M. Georges Berry, made himself a name in history by frankly declaring to the electors, "*Que Dreyfus soit innocent ou coupable, je ne veux pas la*

revision,"* and thus expressing in words the secret thought of thousands, I come to another most instructive election incident, the address to his constituents of Develle the unscrupulous, candidate at Bar-le-Duc.

It must be explained that M. Develle, the former Minister of Foreign Affairs in the Dupuy Cabinet, had for a long time been convinced not only of the illegality of the condemnation of Dreyfus, but actually of the latter's complete innocence. In fact, M. Develle had become the intimate friend of the Dreyfus family, and had even acted as their adviser during the period which preceded the accusation made by M. Mathieu Dreyfus against Esterhazy.

He was in the habit of saying :

"I cannot sleep when the thought comes to me that the secret document of the *procès* of 1894, in which the expression *ce canaille de D...* occurs, was given by my own hands to General Mercier ! That document, as to the origin of which I am totally ignorant, was quietly resting in the ministerial drawers. Mercier, in some way or other, became aware of its existence. He asked me for it, and I, in all innocence, handed it to him—without in the least suspecting the use he wanted to make of it. What remorse I now feel !"

* M. Georges Berry, after reflection, thought it best to deny that he had used these exact words. But I think the opinion of those who care to read M. Georges Clemenceau's article in the *Aurore* of May 14th, 1898, entitled *Porteurs de Principes*, will be that M. Berry certainly did use those very words. Indeed, as they only expressed what the Ministers, the Church, the authorities at the War Office, the majority of the deputies, and the majority of the French people, had been feeling, and acting upon, for many months, it was high time that someone frankly blew the trumpet. History owes a debt to the fearless ingenuousness of M. Georges Berry.

At the first Zola trial, M. Develle might be seen speaking in the friendliest way to Colonel Picquart, and offering him his earnest sympathy.

But when the elections came—

At the commencement of the campaign at Bar-le-Duc, M. Develle, who was fighting against M. Ferrette, a violent Antisemite, found himself in a minority; at the first *tour de scrutin* he had only scored 6,336 votes against 8,040.

This was serious. Convictions are of importance, but business is business, and at all risks the seat had to be retained.

Develle the unscrupulous, therefore, threw his Jonas—that is, his honour—overboard. He at once concocted, and placarded on the walls of Bar-le-Duc, the following *ad captandum* proclamation:

“Unscrupulous adversaries persist in spreading the report that I am a free-mason.

“They are liars.

“I am not, and I have never been, a free-mason.

“The same adversaries have asserted, and continue to assert, that I have expressed approval of the manœuvres of the Dreyfus syndicate.

“They are liars.

“I have always lifted up my voice against the antipatriotic campaign waged by the friends of the traitor. It is necessary without delay to put an end to the agitation which they have stirred up, and which threatens to compromise the internal and external safety of the country. I shall give the strongest possible support to any measures brought forward with a view to imposing respect for the *chose jugée*, and protecting the chiefs of the French army against all attack.

"I have the right, more than any one, to shout with you :

"Long live the Republic ! Long live the army ! Long live France !"

But, notwithstanding the shameless sacrifice of his honour, it is pleasant to be able to record that the campaign of Develle the unscrupulous signally failed.

He was, to use our brutal English expression, ignominiously "chucked."

One more extremely characteristic anecdote, and I have done.

On the 27th of April, 1898, the following paragraph, under the signature of Drumont, appeared in the *Libre Parole*.

"Bazars juifs.

"Amiens va avoir son grand bazar juif ; on m'a confié que le neveu d'un prélat en serait le directeur.

"Ce sera le pavillon qui couvrira la camelote."

Poor Bishop of Amiens ! The great Drumont, invincible Jew-exterminator and beloved of Algerine shop-plunderers, had spoken. What was to be done ?

The nervous bishop soon decided. Family claims are of some importance, but they shrink into nothingness before the majesty of a Drumont. The bishop humbly wrote :

"Je tiens, monsieur, à vous dire, aussitôt votre article parvenue entre mes mains, et pour couper court à toute méprise sur ce point où je m'estime suffisamment désigné :

"1° Que j'ai fait tout le possible pour empêcher mon petit-cousin (et non pas mon neveu) d'accepter le direction de ce bazar juif ou non ;

"Que, mes conseils n'ayant pas été entendus, j'ai signifié à ce cousin l'interdiction absolue de l'évêché et la cessation immédiate de tous rapports avec moi."

Could anything more clearly exhibit the deplorable condition of France during this period of clerical and military reactionism ?

The *Libre Parole*, the organ of the Jesuits, spreads the report that the nephew of the Bishop of Amiens is about to preside at a Jewish bazaar.

The nervous bishop thinks it necessary at once to write an almost abject letter to the editor of the *Libre Parole*, explaining that he is more distantly related than was supposed to the person inculpated, and that, in any case, this obstinate *petit-cousin* not having chosen to give heed to his advice, he has forbidden the recalcitrant distant relative ever again to communicate with him, or to cross the threshold of the episcopal palace !

It is grotesque enough—but even sadder than it is grotesque.

No wonder that the brave and honest Catholic who ventured just before Zola's second trial, to publish the excellent treatise called "*Coupable ou Non?*" and to bring into strong relief the utter imbecility of the military reasoning in the matter of Dreyfus, and the complete wrong-headedness of the position taken up by the Catholic Church, no wonder that this one brave and honest Catholic writer, was compelled to withhold his real name, and to sign himself simply "Justin Vanex."

No wonder that the great writer Bjornstjerne Bjornson, representing the opinion of Denmark, of Sweden, and of Norway, wrote a letter of immense force, expressing the strongest possible sympathy with Zola and the champions of Dreyfus.

No wonder that M. Ignace Zakrewski, the Presi-

dent of the Russian Court of Cassation and highest legal authority in Russia, scandalised and angered the persistently evasive French Government by publicly expressing* the fullest sympathy with M. Manau in his quashing of the first verdict against Zola, and the most unqualified indignation at the disgraceful proceedings carried on under the presidency of M. Delesvaux-Delegorgue at the trial before the Assize-Court of the Seine.

No wonder that "a voice from Alsace-Lorraine"† testified in the most unmistakeable language to the fact that the passionate admirers and old devoted lovers of France in the two lost provinces, were beginning very seriously to ask themselves whether indeed they had not after all made a terrible mistake, and whether the France which now, with eyes opened and with the facts placed before her, deliberately refused from the meanest temporary political and bureaucratic motives to do justice to a Jew, could possibly be the France of their dreams—the France for which many of them had "opted" after the Franco-German war, and in the ranks of whose army they had unhesitating given their children to serve.

I conclude this Section, in which I have endeavoured to sum up the condition of France during the period immediately preceding the second trial of M. Zola, by an analysis of the most instructive and typical passage of the manifesto of the *Conseil général* for Charente (which is printed in special type on page 184).

* In the *Gazette Juridique* of St. Petersburg.

† See the *Siccle* of May 13th, 1898.

It ran as follows :

“...pour imposer le respect de la loi et de l'armée aux factieux qui, sans motif, sans preuve et sans droit, osent troubler la France et outrager les tribunaux militaires.”

The passage speaks for itself, and hardly needs comment. It is clear in its utter untruth, and lucid in its childish folly. I will, however, be at the trouble to call the attention of the Government or clerical draftsman to the following points in his document.

“...le respect de la loi.”

But it was now admitted on all hands that General Mercier had himself grossly violated the law by causing Captain Dreyfus to be condemned on evidence not submitted to the accused man or to his counsel ; and that a cumulative still grosser violation of the law on the part of M. Méline, M. Milliard the Minister of Justice, and General Billot the Minister of War, was going on every moment that these ministers—who were now acting knowingly, and against direct and irrefutable evidence—continued to uphold the illegal judgment.

“...sans motif.”

The motive was the amply sufficient one of endeavouring to do justice to a certainly illegally condemned, and very probably entirely innocent man ; and of removing a terrible stain, that threatened soon to become ineffaceable, from the honour of the army, the Senate, the Chamber, and of France.

“...sans preuve.”

The Government and the War Office had been ceaselessly challenged, ever since the interview between M. Scheurer-Kestner and General Billot

on October 31st, 1897, to produce some definite proof of the guilt of Captain Dreyfus—but had never been able to get beyond empty and unsupported assertions.

“...et outrager les tribunaux militaires.”

But it had now been proved that of two military tribunals—the Dreyfus Court Martial and the Esterhazy Court Martial—the former had shamefully sinned against humanity, and distinctly violated both military and civil law*: while the second had, in a matter of the utmost social and ethical importance, acquiesced, for motives of military discipline and seeming expediency, in the mere mockery of a trial.

In the proceedings of the *Conseils généraux* upon which I have been commenting it was certainly the least worthy, the childish and effeminate side of the French—ought we to say of the Latin—character, which manifested itself; the side which Zola so strongly realized and so passionately protested against in his *Lettre à la jeunesse* and his *Lettre à la France*; the side that had no “kick,” no spirit of honest and honourable revolt in it.

What should have raised a most indignant protest from all right-feeling men—the proved complete violation of legal and moral justice in the case of Captain Dreyfus—was received with entire passive acquiescence by the average French elector.

* The French Military Code is expressly and formally made subject to the French Civil Code, in this matter of the illegality of convicting upon evidence not put before the accused person, or his advocate—see article 101 of the *Code Militaire*, which is absolutely explicit upon this point—and which proves, with the most pitiless certainty, that General Mercier was guilty of wilful violation of the law.

To the eternal shame of France, M. Georges Clemenceau, writing in the *Aurore* of May 15th, 1898, was able with absolute truth to say :

“ *Aujourd’hui nous sommes quelques douzaines en France* qui défendons la cause des juifs contre l’intolérance chrétien, comme nous défendrions la cause des chrétiens s’ils étaient menacés dans leurs droits par le fanatisme du Talmud et de la Bible. ...L’Eglise romaine, nos chefs d’armée, qui parlent très haut dans la paix, nos juges, nos hommes d’Etat de toutes opinions, du plus modéré au plus révolutionnaire, sont unis contre le droit.”

To the eternal glory of France, the “few dozens” of honest and truth-loving men, though their backs were set against the wall, continued to fight on, if without much hope, still absolutely without fear. To their endless credit be it said that, though insulted, abused, lied to, calumniated, they never descended to the employment of unworthy weapons against their most unworthy antagonists. To wilful misrepresentation they simply replied by pointing out the facts. To the most impudent falsehoods* they merely responded by obstinately telling the truth.

But by this time the matter, notwithstanding heroic individual efforts, was beginning to assume the proportions of a national crime, as, through the splendid courage of Zola and his companions, the President of the Republic, every member of the Government, every official at the War Office, every Senator, every deputy, every officer in the French army, every bishop, every educated priest in the

* As for instance, the story told in the interests of the War Office by M. Adolphe Possien in the *Jour*, relative to Colonel Picquart’s alleged visit to Carlsruhe and the instantaneous photograph.—See Section XXXIII.

Church, every newspaper editor, every lawyer, every student, every intelligent French elector, and, last not least, every woman in France capable of reflection and of reasoning, must have known what the whole world had long known, viz., that a French citizen, whose guilt had never been legally proved, was being most unjustifiably detained in ignominious exile.

XXXV.

PÉRIVIER THE STRONG.

“The proceedings at Versailles yesterday* on the second trial of M. Zola draw attention once again to one reason why little sympathy with M. Méline and his friends† will be felt in this country. They have shown themselves a weak Government in a matter which has roused the conscience of all civilized States. The Press even of autocratic Russia, despite the ties which bind the empire of the Tsars to the Republic, has protested against the iniquitous denials of justice which have marked the action of

* May 23rd, 1898.

† In their failure to obtain a strong and workable majority at the elections.

the State and of the Courts in the Zola prosecution. What took place yesterday shows that the irrational and unjust temper before which the Government of M. Méline quailed has not been assuaged by lapse of time. The Procureur-Général, the representative of the State, and the presiding Judge, the official guardian of the law, revealed their eagerness to gratify the prejudices of the masses as clearly as did their predecessors. The remarks of these functionaries, our Paris Correspondent observes, 'will make people shrink in dismay from the retrogression in justice of this French Republic.' The condemnation is strong, but few Englishmen will think it too strong for the conduct of these trained lawyers whose elementary duty it is to do right and justice without fear or favour. The actual result of the proceedings was in M. Zola's favour, as was inevitable. At the opening of the trial his indefatigable and ingenious counsel, Maître Labori, took a series of technical objections to the competence of the Court. It is needless to consider them in detail, but in substance they amounted to a contention that the venue had been wrongly changed from Paris to Versailles, and that M. Zola was entitled to be tried before his 'natural judge'—a Parisian jury. M. Bertrand, the Procureur-Général, met the arguments of Maître Labori by a mixture of sneers, abuse, and threats. He declared that the application for an adjournment was a protest against the justice of the country, and affirmed that the law would reach the accused in spite of their subterfuges. The Court held that it had jurisdiction, because the law gives jurisdiction wherever the libel has been published or

sold.* That is a technical point for French lawyers to settle. In itself the principle laid down does not seem unreasonable. Maître Labori appealed against it to the Court of Cassation, and the Assize Court was, of course, obliged to allow the appeal. It was after the decision of the Court had been given that the Procureur-Général and the presiding Judge gratuitously indulged in a further degradation of the character of French justice. M. Bertrand again ventured upon prophecy. 'Condemned,' he said, 'by the Seine jury, and fleeing before the Seine-et-Oise jury, MM. Zola and Perrenx will not be tried to-day, but their cause is judged.' Maître Labori naturally expostulated, and made some telling remarks about the nature of the former trial and the illegal intervention of the officers whom he was not allowed to cross-examine. The President was shocked at this ebullition, and unctuously declared that there was 'nothing above the law—nothing, nothing, nothing—not even Zola.' Then, in order that there might be no mistake about his own sentiments, he told the jurors that they were discharged, 'as M. Zola will not accept the trial,' and so the edifying scene came to a close. The issue is one more triumph for the military spirit which is threatening to destroy the most elementary personal liberty in France under

* The true intention of this provision is evidently, as Maître Labori pointed out, to enable a libelled person living in some remote spot to bring his action, and endeavour to justify himself, among his immediate neighbours, in the place where, it may be presumed, the principal injury has been done to him. The intention is by no means to enable an official prosecution, for private and extra-judicial reasons, to remove a trial to some spot which is not the residence either of the plaintiff or of the defendant. On the principle pursued by the Government, there was no earthly reason why Zola should not have been tried in Algiers, before a jury carefully packed by Drumont the Jew-extinator; for no doubt the number of the *Aurore* containing Zola's letter of accusation was sold in Algiers.

the forms of Republican institutions. It was to this spirit that M. Méline and his colleagues bowed during the former Zola trial. Their subservience has not done them much good in the country. They went out a weak Government. They come back a weaker. The fact, unfortunately, is more likely to increase than to abate the domination of the army or of those who propose to speak in its name."

So said the "Times," in its leading article of May 24th, 1898. I have quoted at some length, as the admirable summing up so clearly shows—as indeed all the "Times" articles on the Zola case showed—how perfectly the facts of the matter were understood in England by those who had studied the subject in detail.

M. Zola was reproached by some for endeavouring again to remove the scene of the trial to the Capital. But he was right. The Government had consistently employed such unfair means against him that he was fully justified in availing himself of the letter of the law, if such happened for a moment to be on his side. Moreover, his one desire was for light. "There cannot be too much light," he said. And he was aware that a trial at Versailles would, as the Government had desired and planned, inevitably take a sort of suburban or provincial character, and that a Versailles jury, largely recruited from the ranks of half-pay officers, would not be so likely as a jury of keen Parisians either to demand "light," or to appreciate it if it were put before them.

Besides, the Government had carefully selected for the trial the very worst week they could possibly select,—from the point of view of the interests of Zola,

of Captain Dreyfus, and of truth. It was perfectly open to them to fix an earlier date. But they deliberately fixed upon Monday, May 23rd, because the final electioneering work came to an end on the previous day, and because a sort of interregnum then ensued, during which, with the help of a strong man like first president Périvier,* large things were possible in the way of forcing the law, and rushing the case. Until the first of June there would be practically no Government in France, for the former Chamber had been dissolved and the new Chamber had not yet met. Therefore it was not possible to ask any awkward questions "in the House," as we should say. This was, obviously, all in favour of those whose one idea was to conceal facts, to gag witnesses, and to avoid having to answer unpleasant inquiries.

M. Zola was, therefore, perfectly within his right in invoking a question of procedure, with a view to the possible removal of the trial back again to Paris, and with the still more immediate purpose of gaining time, in order that, even if the trial ultimately took place at Versailles, it might take place at a moment more favourable to the interests which he had at heart—the interests of truth and justice. The extremely improper taunts of first president Périvier and procureur-général Bertrand, to which the "Times" alluded, were as unjust as they were undignified. The Government and the generals were the persons who, in reality "would not accept a debate," and who were "fleeing before the jury." But to first

* M. Périvier was First President of the Court of Appeal.

president Périvier and procureur-général Bertrand it seemed a highly proper and decorous thing to invoke subtleties of procedure on their own side,—but a very iniquitous and detestable thing that the defence should likewise avail themselves of the letter of the law.

To Bertrand and Périvier procedure was a useful and desirable ally when it enabled them to bind their adversaries hand and foot by citing three lines out of a letter of eight columns, and two words out of a citation of three lines. But when procedure afforded those adversaries some chance of obtaining a trial in a less prejudiced locality, and at a more favourable date, Bertrand and Périvier instantly waxed righteously and overwhelmingly indignant.

Through all the long and sad story one thing never flagged. French wit outlived French love of justice; though it is fair to say that the truest *esprit* was shown by those writers who were on the side of truth in the matter. The witticisms of the anti-Dreyfus papers too often degenerated into mere coarse and vulgar abuse; as, for instance, when Drumont, on the morning after the legal skirmish of May 23rd at Versailles, began his article by saying “The Italian pig who is called Zola,” etc. The article, just before the Versailles incident, written by M. Ernest Judet in the *Petit Journal*, in which M. Judet in the most abominable manner traduced M. Zola’s father and family, was also an example of the method too often pursued by the writers on the wrong side when they tried to be forcible and witty. But the following little bit of sarcastic, but

good-humoured, observation, taken from the *Aurore* of May 24th, 1898, is wholly allowable and delightful. The reporter is speaking of the moment when first president Périvier, having announced that he should fine unlucky M. Matté, a Viroflay washerman, for non-attendance on the jury, was hunting about in his law-tomes for the purpose of ascertaining the exact amount of the fine which the law empowered him to inflict.

“Zola et notre gérant donnent leurs noms et l'on fait l'appel des jurés.

“Il en manque un, un blanchisseur de Viroflay.

—La Cour le condamne à la peine portée par la loi, dit M. le Premier.

—Mais il faut dire quelle est cette peine, lui souffle M. Doublet, le juge de gauche.

—A 200 francs d'amende, dit Périvier.

—Mais il faut lire le texte de l'article, indique M. Tardif, le conseiller de droite.

—Ah ! bon ! Lequel ? lequel ?

“M. Tardif ouvre le Code à la page voulue. Le magistrat est d'une myopie extrême. M. Périvier n'y voit que de près. Et les voilà joue contre joue, mariant leurs binocles au-dessus du Code.

“Enfin, le pauvre blanchisseur est régulièrement condamné à ses dix louis d'amende, pour n'être pas venu à une audience où l'on n'aura pas besoin de lui, et l'on passe à d'autres exercices.”

The charming little picture of the two short-sighted judges *mariant leurs binocles au-dessus du Code*, and hunting up the legal authority for fining the absent washerman, would have delighted the soul of Charles Dickens.

The clever reporter for the *Aurore* also gave a most amusing account of the solemn entry into Court

of first president Périvier and procureur-général Bertrand; an account amusing not in the way of spiteful bitterness, but in the way of honest fun. For the benefit of those of my readers who may not be able to read French readily, I will translate this passage. But I do so regretfully, as all such passages inevitably lose much in their translation into our heavier language. And I take this opportunity of saying once for all that I am writing this book principally for those who, understanding French well, and appreciating the exquisite genius of the French tongue, may yet have had no leisure to study the history of the Dreyfus case minutely, and to observe all its lights and shadows. Therefore, as a rule, in quoting, I prefer to keep to the original French.

However, take the entrance of Périvier and Bertrand in English.

“As for M. Périvier and M. Bertrand, they had put on their very best red robes. At a quarter to twelve they entered the Court.

“The procureur général, M. Bertrand, was the first to enter, and sat down all alone in his arm-chair. But M. Tournadre, the Versailles procureur of the Republic, gently represented to him that this was an improper proceeding. The correct course, so the procureur of the Republic informed the procureur général, was for the representative of the Government to enter the Court behind the presiding judge.

“Upon which M. Bertrand, the procureur général, rose from his arm-chair, and left the Court in order to re-commence his entry.

“This time M. Bertrand, who is tall and thin, entered in the proper manner, following M. Périvier, who is short and stout. M. Bertrand is pale, M. Périvier is red-faced. M. Bertrand has the melancholy air of a captain of

gendarmes on half-pay, consumed by regrets for his lost youth ; M. Périvier has the jovial and satisfied look of a peasant who has made his fortune. M. Bertrand, bending under the weight of sadness, carries his big figure in a stooping attitude ; M. Périvier places well to the front his festive little stomach, behind which he holds himself very erect.

“ In spite of the ermine and the purple which cover him, Monsieur the first president has the appearance of a rich, vulgar, fat farmer.

“ One can easily picture him to oneself, clothed in a nice blouse, superintending the work of his farm servants, and giving them, if necessary, a lesson in the proper handling of the plough. One can also imagine him, after a good drink, telling pretty broad stories, at a shooting party.

“ There is not in the whole of France any magistrate who can touch Monsieur the president Périvier in the art of saying things he ought not to say, and in removing by a single word every trace of seriousness from the proceedings.

“ Thus, hardly had he sat himself down square in his chair of ceremony—on his left M. Tardif, on his right M. Doublet, to serve as his advisers—than he cried out in his bright trumpet-like voice :

“ ‘ Sit down, everybody... ’

“ And immediately he added, as if to show that he is a good sort, though he means to have his own way :

“ ‘ Sit down—if you can. ’ ”

One more anecdote, and I return to the graver side of a matter so grave and terrible that every little gleam of humour, every little occasion for lawful laughter, came as a positive godsend to those who, but for a slight respite and change of thought now and then, could hardly have found heart or strength to struggle on to the end.

Did any of my English readers hear of the quaint tale of the jacket of Maître Albert Clemenceau ?

Maître Albert Clemenceau is the younger brother of M. Georges Clemenceau, and is a very able French barrister.

At the time of Zola's first trial, M. Georges Clemenceau, who is not a barrister, was anxious to take part in the proceedings, as defender of M. Perrenx of the *Aurore*. He accordingly called upon M. Delegorgue, who was to preside at the trial, and asked the President's permission to appear. M. Delegorgue was very gracious, but remarked: "All the same, I am not in the habit of seeing any but wigs and gowns in front of me."* Therefore, in order that the dignity of the learned President-judge might not be wounded by the unwonted spectacle of a gentleman pleading in an ordinary *jaquette*, or morning coat, M. Georges Clemenceau provided the necessary *robe* by employing his young brother, M. Albert Clemenceau the advocate, to plead for the *Aurore* during the actual proceedings, and himself only spoke the final summing up for the defence.

That seemed very satisfactory.

However, learned judges differ as to their ideas in these matters of etiquette. M. Georges Clemenceau, knowing this, thought it the wise and courteous thing, before the second trial at Versailles, to pay a visit to first President Périvier, and to confide to him the whole truth about the matter of the wig and gown. It was well that M. Clemenceau took this step, for M. Périvier's views on the subject turned out to be quite different from those of M.

* French Lawyers do not actually wear wigs, but, in relating this story in English, it is necessary to use our customary expression "wig and gown."

Delegorgue. M. Périvier did not care a rap about the wig and gown. He would evidently, with the jovial good humour which accompanies a consciousness of surpassing strength, have been willing to allow M. Clemenceau to plead in his shirt-sleeves. But—here the scruple of M. Périvier stepped in—he would by no means allow more than one counsel to plead for the same party. (There were three counsel pleading for the Court Martial, but that was a detail.)

Therefore, it became clearly necessary that, if Albert Clemenceau was again to assist his brother, he should appear in Court in his private capacity. In his private capacity, he could only wear his “jacket.” How shocking to the nerves of Delegorgue the sensitive! This time, there would be *two jaquettes* pleading in Court!

But the funniest thing of all was that, when M. Albert Clemenceau *did* duly appear at the Versailles Court, in obedience to the injunction of President Périvier, without wig and gown, Maître Ployer the *bâtonnier* of the “Order of Advocates,” was so shocked at the young advocate’s appearance, that he forbade him ever to do such a thing again!

It therefore became a very serious and delicate question what poor M. Albert Clemenceau was to wear at Versailles, when the trial was resumed. He could not wear his wig and gown; M. Périvier, the judge, had forbidden it. He could not wear his ordinary black coat; the head of the “order of advocates” had refused to allow it. Was he to appear in a smoking coat, or in evening dress,—or a bathing suit?

However, in the background of these lighter episodes, loomed painfully the fact that to obtain ordinary justice in France in the month of May, 1898, under the Government of M. Méline, seemed actually more impossible than in the time of Richelieu. Once more, it was made pitilessly plain that the most dangerous foe to justice is a weak Government. For a weak Government inevitably plays into the hands of strong scoundrels.

The trial at Versailles did, in fact, promise to disclose somewhat singular features; seeing that the judge, weeks beforehand, had publicly expressed his intention of "squeezing the vice" even tighter than his predecessor! Probably this little boast of first president Périvier was a bid for favour at the hands of the Government; it had indeed been rumoured that the place of Manau the just, Procureur Général at the Court of Cassation, would shortly become vacant, and that Périvier the strong, if he played his cards well, had a chance of filling it. In any case, the first president of the Court of Appeal did not wish the president of the Council of Ministers to remain in ignorance of his willingness, not to say extreme eagerness, to assist the Government in their dilemma by a little legal brutality. So he took the opportunity of button-holing Maître Labori at the Palais de Justice on the occasion of the first trial, and of frankly telling him that if *he*, Périvier, had been in the place of President Delegorgue, he would have taken very good care to "*serrer la vis*" far more closely, and completely to "throttle" the defence.

As a reward for these publicly expressed amiable

intentions, it was Périvier the strong to whom the Government, quite out of the usual and regular course of things, confided the task of directing, or misdirecting, the proceedings at Versailles.

XXXVI.

L'ILE DU DIABLE.

Remember that all this time, while Périvier was joking, while Drumont was using his very best efforts to bring about a general massacre of the Jews, while Rochefort and the generals were "piling lie upon lie,*" while the Jesuits were exulting in the success of their antisemitic and antirepublican schemes, and while Esterhazy was threatening—but merely threatening—to horsewhip Colonel Picquart, all this time, a woman's heart was being slowly broken, a man who had never had the ghost of a trial was being slowly done to death, and the bulk of the French nation was looking on and pretending to approve.

M. Joseph Reinach's words, in the *Siècle* of May 25th, 1898, give a terrible but exact picture of the position, *vis-à-vis* with each other at this moment, of Madame Dreyfus, of Captain Dreyfus, and of France.

* To use M. Yves Guyot's unfortunately not at all exaggerated expression.

"I defy the most hard-hearted of Jew-haters, even if he has never cared for anything but his dog, to read without emotion the last letter, so terrible in its brevity, which Madame Dreyfus has received from her husband :

‘March 20th.

‘My sufferings are becoming unendurable, the tension of brain and nerves is too severe, and then my heart is in agony as well. I have made an appeal to the high justice of the President of the Republic, to beg for a revision of my case. I lovingly embrace you, as also our dear and adored children.’

"It is evident that this poor creature is at an end of his strength, that he is slowly dying, worn out by a murderous climate, by an exceptional and even more murderous method of treatment, quite illegal and invented with special reference to his case,* and lastly by the ceaseless thought, a hundred times more murderous in itself alone than either the treatment or the climate, that France believes him guilty of the most hideous of crimes, that he is held in execration by all, and that the curse which is destroying him is also overwhelming those dear to him, who are as innocent and unfortunate as himself.

"By what miracle is it that his brain has not already succumbed? What indomitable force sustains him? If he only knew that from one end to the other of the civilised world his cause, while he all the while believes himself an object of universal

* It is not generally known in England that a special law was passed in the French Parliament, on the ninth of February, 1895, *after* the condemnation of Captain Dreyfus, in order to meet his individual case. In virtue of this special law he was transported to Devil's Island, in the deadly climate of Guiana, instead of being sent to New Caledonia in the ordinary course of Justice.

—Author's note.

horror, has become the cause of all those for whom pity is not an empty word, who believe in justice, in the inevitable revenges of truth, and who, though they have never known him, honour him as among the noblest of martyrs—if he could only be aware of this, he would find in the knowledge a joy, a hope, an immense reason for still struggling to live. But, through a refinement of cruelty, he knows nothing of it. Of the great battle in his behalf which has been going on for long months, and which is nearer to a victorious issue than the defenders of the iniquitous *chose jugée*, or even the soldiers of the good cause imagine, he is entirely ignorant—except, possibly, for what little he may have divined from treacherous half-confidences, only made to plunge him into deeper despair. His wife's heart is breaking at only being able to send him vague assurances, which have become commonplace and cold after so many years. For more than a thousand days his torture has lasted, and he has remained plunged in this abyss of infamy and sorrow, without a single support, without human consolation, absolutely deprived of any help excepting that of a conscience which cannot reproach him...

“When doubt, strengthened by reading, by thought, by an examination of all the facts of this *cause célèbre*, has become certainty, then, in all hearts which have remained generous in spite of the callousness of the age, and especially in the simple hearts of women, a revolt breaks out which nothing can again repress, and which carries with it an enthusiastic desire to make converts. The process of propagandism is assuredly slow and difficult, for

it has against it the coalition of the whole official world, the stupid but formidable idea that the honour of the army consists in not acknowledging a mistake, or rather this mistake—for the annals of the Court of Cassation are full of military judgments which have been annulled and revoked—the violence of parties, the egotism of some, the cowardice of others, and the innumerable journals which have allowed nothing of the truth to trickle out, which have distorted everything, falsified everything, and which have systematically poisoned the mind of the gentlest and most sensible of peoples. I perfectly realise that the great majority of electors are still far from being convinced. But, none the less, the work of influencing public opinion is steadily going on...It is good for a cause to have on its side the intellectual *élite* of France. All the same, it is not that *élite* which will win the decisive victory. The decisive victory will be won by persons such as that poor farm-girl who yesterday wrote to me—to me, a Jew—that she had caused a candle to be burnt in behalf of the unhappy Captain...

“He has suffered all that a human being can possibly suffer. He has been condemned for a crime which he did not commit, for the crime of crimes, treason towards his country. He has endured the punishment of public degradation which was spared to Bazaine. At the moment of leaving for exile he was not allowed to embrace his wife, or even to grasp her hand. In his case the punishment of deportation has, in violation of the law, been made worse, a hundred times worse, by the added anguish of solitary confinement. He is alone, always alone, among

armed keepers who are forbidden to speak to him. Ignorant of recent events, he imagines that he feels weighing upon him the hatred of a whole people, the contempt of his former associates, the branding verdict of history. In the midst of all these tortures he has one thought, one only : the constant hope that light, full and complete, may be thrown upon the matter, and that his honour may be restored to him...

"Some of you have had the chance of coming to the assistance of this unfortunate man, whose innocence is perfectly well known to you. A storm of wind has passed which has lifted the lid of the coffin in which he is buried alive. But by the side of the coffin a howling rabble is gathered together. And you, you yourselves with your own hands, press down the lid of the coffin ; you once more imprison the unhappy man in the darkness."

So wrote M. Joseph Reinach, Gambetta's former secretary, in the *Siècle* for May 25th, 1898. His words were so true, and the expression of his thought was so admirable, that I will not weaken by any prolonged comment his indictment of the selfish and ignorant majority in France.

I will only point out that M. Reinach's courageous support of Dreyfus had already cost him his seat in Parliament. But, as a sort of compensation, M. André Lebon, the Colonial Secretary, who was responsible for many of the extra tortures needlessly inflicted upon the prisoner—such as the building of a wall to shut out the view of the sea beyond which was France, the fastening of a heavy stone to the condemned man's feet at night, etc.—M. André

Lebon, who had, quite against any sound reading of French law, refused permission* to Madame Dreyfus to share her husband's exile, though she offered to submit to the same *régime* ; M. André Lebon, who was said on good authority to have already ordered preparations to be made for the embalming of the body of Dreyfus, lest, in the event of the death they so ardently desired, the authorities should be accused of complicity ; M. André Lebon, to the delight of all honest French citizens and good men everywhere, suffered defeat at the elections.

XXXVII.

THE DEFENDERS OF "THE HONOUR OF THE ARMY."

AT this point, it is worth while to pause a moment, and to observe a little more closely the method of the writers who were defending what they called "the honour of the army ;" that is to say who were,

*The real reason for this most barbarous refusal was, of course, the nervous terror of the authorities lest Madame Dreyfus, if allowed to join her husband, should, in the event of his death (which now seemed imminent), make public the illegal and unwarrantable manner in which he had been treated. The authorities, also, doubtless dreaded lest, if Madame Dreyfus were placed in a position to communicate to her husband tidings of the mighty effort in his behalf which was being made in France, and of the exact position of affairs there, he might be able to supply information which would very materially assist in the discovery of the real traitor—or traitors. Now the one thing which the French authorities, in the spring of 1898, chiefly wished to avoid, and which they were straining every nerve to prevent, was the discovery of the real traitor—or traitors.

in default of arguments, inventing fresh lies daily, and heaping the coarsest abuse upon their opponents.

Take up the *Libre Parole* the day after the legal skirmish at Versailles. As I say, you will find no arguments. But you will find the following :

“I do not know whether up to yesterday the Italian pig called Zola had a liking for Versailles. But what I do know is this; that, at the present moment, even the name of the town of the great king must recall most unpleasant recollections to him.

“To welcome the friend of traitors, Versailles, yesterday morning, put on the air of a besieged city. Each street corner concealed a band of police, and before the Court House other companies of police were patrolling the pavement. In order to save Zola's skin, Paris had been denuded of its guardians...

“When the rascal's troop arrives, hisses are immediately heard, and cries of ‘Down with Zola!’ While the troop, as fast as they possibly can, hurry into the Court House, their motor-cars are put up in the yard of the Tribunal of Commerce, on the wall of which someone had written the evening before in enormous blue letters, the following words :

“*Long live the patriots ! Down with Judas ! ...*

“From time to time, news arrives from the interior of the Court. Labori, Zola and company, are getting a first-class dressing—so it is reported—at the hands of the procureur général first of all, and afterwards at the hands of the judge.

“On hearing this news, the Dreyfusards pull very long faces, and hurry off from time to time to get a drink; a very necessary thing to keep up their courage.

"It is one o'clock. The hateful farce which the Dreyfus Syndicate has inflicted on the jury and the magistracy has come to an end. The Court is being emptied.

"The first person who appears upon the threshold of the Court House is Arthur Meyer.*

"God of Israel! the extent to which this Hebrew has become an Antisemite is almost inconceivable! It is he who first of all informs the public of the blood-thirsty fashion in which the president of the Assizes has settled old Father Shameless.

"Next Mery descends the steps, interviewing Commandant Esterhazy, who seems very much excited and talks of smashing the face of ex-colonel Picquart.

"I think, however, that the Commandant will wait in vain for the exit of Zola's friend, for I am told that this gentleman has scuttled away like a rabbit by a private door. And a very wise precaution too.

"Now a great movement takes place. The police form a line before the door of the tribunal of commerce, by which Zola and his accomplices are to leave.

"We wait a good half-hour. At last the gates open, and first of all allow the little motor-car to make its exit, containing a couple of Jews who don't look at all as if they were at a joyous wedding.

"Let these insignificant little hogs pass. The fat ones are coming.

"Here they are at last, huddled up one against the other in their petroleum-carriage. Zola is

*Editor of the *Gaulois*, and a violently anti-Jewish Jew.

squeezed in between the two Clemenceaus, like a mushroom between two heaps of dung. At the back Labori can be seen, passing his empty head out of the carriage.

"Instantly, thousands of throats wild with fury take up the cry: 'Down with the traitors! Down with Zola! Death to the Jews!'

"With very great difficulty, the police keep back the crowd. But soon the people overflow all barriers, for Labori waves his hat with a defiant air, shouting: 'Quite so, that's right. Down with Labori!'

"But he takes very good care to whisper to the conductor of the motor-car:

"'Go ahead! Go ahead!'

"And it is high time, for, only another two minutes, and the furious crowd would have got at the vehicle which was sheltering the Dreyfusard rabble.

"Zola's face is the colour of buttered eggs. He, so full of swagger when he left the Court, has now suddenly hidden himself at the bottom of the carriage. He is crouching quite down, and nothing but his head is visible, emerging from between the knees of the two Clemenceaus.

"The corner of the street is gained. The traitors are now in safety, for, behind their machine, the massed police block the way.

"One hears in the distance the rapid *peuf! peuf!* of the motor-car.

"'The truth is marching along,' and Zola is in flight, although there are in the neighbouring woods such lovely branches...natural gibbets.

"Meanwhile let us salute the army ; every officer who comes out of the Court House receives an ovation :

" ' Long live the army ! Long live the army ! '

" But while we are cheering the officers and soldiers who pass, gentleman Picquart* has hastily sloped to the Plessis railway-station. But luckily some of his former companions in arms recognise the *monsieur*, and he gets a thorough good spitting at.

" The *quondam* officer looks very fierce, but no one pays any attention to that, and, until the train arrives at the Paris station, he has to listen to an uninterrupted concert of: ' Down with Picquart ! Down with the traitors ! Down with the Jews ! '

" So the day came to an end, a day which has once more furnished an opportunity to all true Frenchmen of spitting their contempt in the faces of Jews, of traitors and of bribed rascals."

It was to Drumont, the Editor of the paper (the *Libre Parole*)† which habitually spoke in language such as this—language to which in England we could only apply the word blackguard—that the Bishop of Amiens thought it necessary to write the letter of apology which I have quoted above ! ‡

Alas for France !

Turn now to the writings of M. Ernest Judet of

* The sneer implied in the French expression *le sieur Picquart* cannot easily be conveyed in English. The reference is to his recently having been turned out of the army, and having thus become a mere private individual. It will be remembered that General de Pellieux wantonly insulted Colonel Picquart, at the first Zola trial, by publicly calling the Colonel a *Monsieur*.

† The *Libre Parole* was started in the year 1892, and had for the president of its first Council of administration M. Odelin, who was the manager of Jesuit establishments from 1882 to 1890. Both Odelin and Drumont were mixed up with the Boulangist movement.

‡ See page 194.

the *Petit Journal*, another ardent defender of "the honour of the army." How did he defend it? By composing a most iniquitous article in which, in order to make it perfectly clear to intelligent France that Dreyfus was a traitor, he accused the father of Zola of being a thief.

That is a perfectly fair specimen of the style of argument habitually used by the supporters of the French War Office during the period of the Dreyfus controversy; when they condescended to argue, or to seem to argue, at all. In this particular instance, it had become clear to M. Judet that the true motive for M. Zola's obstinate persistence in the defence of Captain Dreyfus had not yet been brought to light. The motives ordinarily suggested by M. Zola's enemies—"folly, complete want of moral sense, overweening conceit"—did not seem to M. Judet sufficient.

It therefore occurred to the ingenious contributor to the *Petit Journal* that the doctrine of heredity which Zola expounds in his famous Rougon-Macquart series of novels, might be turned against its author. Might not Zola very possibly have inherited some mysterious dislike of the military, some strange affinity for traitors, some singular nervous horror of Court Martials?

It was a great idea and M. Judet immediately proceeded to exploit it by publishing in the *Petit Journal* an elaborate tale which he supported by some letters,—copies of which, he admitted, had been supplied to him by the ever-ready War Office. The strongest possible evidence exists that these letters were either wholly forged, or had been largely "doctored;" as one would naturally expect, having regard to their source!

M. Judet stated that M. Zola's father, while serving in Louis the Eighteenth's "foreign legion," had committed a theft, and was about to be tried by Court Martial. Powerful influence was however—so said M. Judet—used in favour of Zola *père*, and by means of it he escaped the indignity of having to appear before the Court Martial. He was, however, ignominiously drummed out of the French army. And this, cried M. Judet triumphantly, amply explains, on Zola's own avowed principles, the novelist's inborn hatred of all things military, and love of all things treasonous and base.

I do not wish English readers to think I am exaggerating, therefore I give a literal translation of some of M. Judet's own words.

"In the beginning there must certainly have been a deeper cause, some sinister stain, some unheard of mystery, some unknown flaw, some corrupting shame which no one has fathomed and which dominates implacably both the unclean work and the infamous life of Zola."

And again :

"It was just, it was inevitable that Zola at a glance should have singled out from this army which he detests, Dreyfus as the model officer : he was bound to go by instinct, without effort, straight in the direction of treason, just as piggish writers go straight towards monstrous error, just as beasts that delight in dung make straight for the manure-heap, and revel in its filthiness."

The only comment I will make upon this scandalous passage, and upon M. Judet's most cowardly and unmanly attack upon the memory of M. Zola's

father, is to say that M. Zola's beautiful and pathetic letter to the *Aurore* of May 28th, 1898, made it abundantly clear that his father, François Zola, the engineer of the canal at Aix which bears his name, was one of the most honourable and hard-working of men, deeply loved and revered by his wife, and held in the highest esteem by M. Thiers and many notabilities of his time; and abundantly clear also that the faculties which M. Emile Zola did, indeed, inherit from his father were the capacity for ceaseless toil in the face of giant obstacles, and an invincible tenacity of purpose. The man who for five years fought to get his plan for a vast harbour at Marseilles passed through Parliament, and who, when defeated, struggled for another eight years to get his scheme for the Aix canal accepted, and won,* was a worthy progenitor to the man who, with the same singular perseverance, wrestled on for years until he had won for himself a world-wide reputation as a great writer, and then, taking up the cause of a Jew he believed to be innocent, challenged to terrible combat the Army, the Government, the majority of the French people, and the Church.

I now come to the third of the writers who, during

* See the *Sémaphore* for May 11th, 1844; the *Provence* (an Aix paper) containing the complete text of the royal order (drawn up at the palace of Neuilly, May 31st, 1844, signed by Louis-Philippe, and counter-signed by L. Duchatel, the Minister of the Interior) authorising M. Zola, engineer, to construct the Zola Canal; and the *Provence* for July 29th, 1847, which gives a most interesting account of the visit of M. Thiers on the previous day to the works of the Zola Canal then in progress, and concludes as follows:

"M. Pérémé, le gérant, a profité de la circonstance pour présenter à M. Thiers le jeune fils de feu M. Zola. L'illustre orateur a fait le plus gracieux accueil à l'enfant ainsi qu'à la veuve d'un homme dont le nom vivra parmi ceux des bienfaiteurs du pays."

the period of the Dreyfus controversy, won infamous distinction : M. Henri Rochefort.

Let him speak for himself. On the day after M. Zola had challenged the competence of the Versailles Court, M. Rochefort writes in the *Intransigeant* :

"For seven months the author of 'I accuse !' has been announcing to us the astounding revelations which he proposed to produce to the jury. He is absolutely clear as to the innocence of Dreyfus. He possesses every means of proving it ; but when one says to him, 'produce your evidence,' he quietly answers, 'I am quite willing, but not at Versailles.'"

A man of M. Rochefort's intelligence—or, I should say, even of M. Rochefort's intelligence—must have known that this was a piece of perfectly shameless misrepresentation. All that M. Zola had been asking for "for seven months" was leave to produce his witnesses, and permission for them to speak. The whole effort of the Government and the War Office, from first to last, had been, either to intimidate M. Zola's witnesses and prevent them from appearing, or, when they did appear, to close their mouths by a series of the most unfair, and sometimes quite illegal, devices.

As to "astounding revelations," it was the officers of the General Staff who had been, for more than three years, promising to produce such revelations of the guilt of Dreyfus and his "civil accomplices," but who, when pressed, invariably sheltered themselves (like M. Adolphe Possien, of the *Jour*, in the matter of Colonel Picquart and the instantaneous photograph), behind the flimsy excuse of "the pro-

fessional secret." M. Rochefort himself had gone so far as to say that General Billot was in possession of a waggon-load of proofs of Dreyfus' treason. A waggon-load ! Analyse the proof, the "absolute proof," which General de Pellieux and General de Boisdeffre did condescend to describe at Zola's first trial, and judge by that what the rest of the waggon-load was likely to be worth—and what the generals' capacity for weighing evidence was worth !

Listen again to M. Henri Rochefort ; the writer to whom, in common with Drumont of the *Libre Parole*, the defence of "the honour of the French army" was specially confided.

Referring to Zola's appeal that the second trial might take place before a Paris jury, Rochefort says :

"Well ! such a prolonged running away constitutes a confession not less formal than that made by the traitor to Captain Lebrun-Renault. Zola is a pitiful scamp who, when placed with his back to the wall, represented by the bar at the Assizes, only thinks of putting off as long as possible his entrance into the prison of Sainte-Pélagie.

"The overthrow of the candidates who represented treason at Sunday's polling has sufficiently informed him as to what the public* thinks of him, and the treatment his worthy comrade the ex-officer Picquart met with at Versailles must have completed his knowledge.

"The only thing is that to his manifest bad faith in this affair the most incredible imbecility must be

* Patiently instructed for three years in the facts (!) of the matter by MM. Rochefort, Judet, and Drumont.

Author's note.

added. He does not seem to grasp the fact that each new subterfuge makes his case worse, and that the jurors will certainly give him all the more of a pickling on account of the disgraceful shifts to which he has had recourse in order to escape.

"As a matter of fact, he practically admits himself to be an impostor and a calumniator by thus withdrawing from himself even the right which every accused man has to put in a claim to good faith. When he reappears before the judges, that is to say in a month, or, at latest six weeks, in spite of the openly avowed protection which the old humbugs of the Court of Cassation are extending to him, the Ministry with which he is in league will have sunk in a sea of loathing. Billot will have rejoined Méline in the big turnip field where they bury ministers, and the punishment will be all the more severe through having been so long delayed.

"If he had pluckily accepted the first sentence which condemned him to a year's imprisonment,* he might have got this punishment commuted into some months' confinement in a mad-house, thanks to the defenders he was able to count upon in the Chamber.

"Alas! the greater number of them will not make their appearance there again, and the new Cabinet, no longer having to humour Zola's friends, will not be in the mood to humour him either. He will then discover that calculations suggested by cowardice are not always the wisest."

* As, for instance, M. Rochefort "pluckily accepted" the sentence which condemned *him*, for his libel on M. Joseph Reinach in respect of the "Otto" letter, to—imprisonment for five days!

Author's note.

And to this Henri Rochefort, who had been for a quarter of a century strengthening Governments by consistently attacking them in such a manner as to entirely discredit Oppositions, signed his name.

Remember that the above are only solitary examples. Remember that language like this, and language even worse than this, had been the stock in trade of the War Office journals for more than three years. It began with the arrest of Captain Dreyfus in the autumn of 1894, and was continued without intermission, daily, throughout the whole period of the controversy. Such a flood of vulgar and reckless vituperation has probably never before issued from any European press.

Having said this, it is only just to add that the supporters of the cause of Captain Dreyfus wrote with sorrow always, with sarcasm sometimes, with bitterness occasionally, but without exception like gentlemen. The reader may take my word for this, for I studied the writings of both sides minutely throughout the period of disturbance. And the fact that, under circumstances of the most extreme and unexampled provocation, they none the less had the good taste and the self-control so to write, speaks volumes in support of the fact that the defenders of Dreyfus were throughout the matter upon the right and worthy side. I perused their writings daily, but I cannot recall a single instance of a really violent or ungentlemanly article appearing in any of their organs.

On the other hand, I cannot imagine a worse misfortune for the French army of 1898, containing,

as it must have contained, so many honourable and devoted soldiers, than to have been led, through the folly or baseness of certain incapable and untrustworthy chiefs, to place its defence in the hands of such writers as those from whose articles, or journals, I have been quoting.

When Commandant Pauffin de Saint-Morel, just before the first trial of Zola, carried—"by the order," as he said, "of his chiefs"—to the office of M. Henri Rochefort, "the flag of the French army," he defiled that grand flag with an indelible stain.

XXXVIII.

CASELLA SPEAKS AGAIN.

ON May 24th, 1898, a new and still more categorical deposition of Count Casella appeared in the *Siècle*.^{*} It will be remembered that his former evidence as to the fact that Colonel Schwartzkoppen had received no less than 162 documents containing secret information from Esterhazy, as to the interview at which Esterhazy, revolver in hand, had insisted upon Schwartzkoppen telling Madame Dreyfus that her husband was the real traitor, and

^{*} Reproduced from the *Réforme de Bruxelles*, to which paper Count Casella had first sent it.

as to Esterhazy's statement to Schwartzkoppen that he had received the *document libérateur** from "two French officers," it will be remembered that this former unspeakably important evidence of Count Casella's, published in the *Siècle*, had not been disputed in a single point, either by Colonel Schwartzkoppen or Colonel Panizzardi.

In his letter to the *Réforme de Bruxelles*, Count Casella said :

"Le véritable procès continuera à se dérouler devant le grand public impartial du monde entier—et c'est par devant ce public, désireux de justice et de lumière que je viens faire, sous la foi du serment, la deuxième partie de ma déposition."

Then follows an account of the conversation between Count Casella and Colonel Panizzardi, the Italian military attaché, at Count Casella's rooms, 3, Rue Berryer, on the morning of February 17th, 1898 ; that is, while Zola's first trial was in progress.

Casella observed :

"Vous ne me persuaderez jamais que si, en 1894, l'attaché militaire, M. de Schwartzkoppen, s'en fût allé rendre visite au général Mercier et lui eût dit gentiment : 'Mon général, vous êtes sur une fausse piste ; je serai, si l'on continue, obligé de nommer le vrai coupable pour sauver un innocent, etc., etc.'...eh bien ! le général Mercier aurait dû lâcher prise."

Panizzardi cried out :

"Non, Schwartzkoppen ne pouvait rien dire en 1894 ! Je vais vous expliquer cela. Son véritable tort commença en

* The photograph of the *canaille de D...* document, which, as represented by Esterhazy and Commandant Ravary, had been stolen by Colonel Picquart from the War Office, stolen again from Colonel Picquart by his mistress, conveyed by the *dame voilée* to Esterhazy, and subsequently triumphantly restored by Esterhazy to the authorities.

1896, lors de la publication du fac-similé du bordereau. Lorsqu'en 1894 le premier entrefilet parut, annonçant qu'un officier français était soupçonné d'avoir trahi son pays, mon ami Schwartzkoppen fut au cent coups ! il vint me voir et il me dit : 'Je suis dans des transes horribles ; je crois que mon homme s'est laissé pincer.' Quelques jours après, les journaux prétendirent que le traître était un capitaine d'artillerie israélite...

"Schwartzkoppen revint chez moi me dire : 'C'était une fausse alerte, cela doit être une autre affaire, ce n'est pas mon homme.' Et, en effet, l'attaché militaire allemand, même après la condamnation de Dreyfus, continua à recevoir des notes, des documents provenant de la même source et tracées de la même écriture.

"Lorsqu'en 1896 le *Matin* publia le fac-similé, M. de Schwartzkoppen arriva chez moi en coup de vent, et il s'écria : 'Mon cher Panizzardi, cette fois, ça y est. Mon homme est pris, c'est bien son écriture.'

"C'est donc à ce moment-là que mon ami aurait dû tout lâcher. *Moi, avec mon caractère savez-vous ce que j'aurais fait si j'avais été pris la main dans le sac ? J'aurais pris mon dossier, je serais bravement allé voir mon roi et je lui aurais demandé la permission de tout dire. Tous les officiers de l'armée italienne m'auraient approuvé. Avec mes nerfs, je n'aurais pu dormir vingt-quatre heures sur cette position. Mais tout cela est une confidence que je vous fais, n'en parlez pas.*"

Upon which Count Casella naturally exclaimed :

"Bon, vous voilà de nouveau avec le secret et les confidences ! Vous êtes ici chez moi, vous racontez des faits très graves, et après vous me demandez ma parole ? Je crois, au contraire, que votre devoir serait de parler. Comment pouvez-vous laisser passer des infamies pareilles ? Non, il faut parler, d'autant plus que je sais que ces confidences vous les avez faites à d'autres personnes aussi. Vous avez dit à un ami à moi que vous possédiez pas mal

de lettres de Schwartzkoppen où l'on lisait tout en entier le nom de la personne à laquelle faisait allusion la fameuse phrase : *Cette canaille de D... devient par trop exigeante.* Eh bien ? pourquoi n'êtes vous pas allé au Conseil de guerre déclarer au moins cela ? ”

M. Panizzardi replied :

“ C'est vrai, mais voilà maintenant que, dans la dernière lettre que je viens de recevoir, M. de Schwartzkoppen affirme qu'il n'a jamais écrit cette carte autour de laquelle on a fait tant de tapage. Il dit que c'est un faux. Il faudrait donc que cette fameuse pièce secrète fût dans mes mains, afin de pouvoir la contrôler avec les autres pièces que je possède. Que faire alors ? ”

Casella answered—

“ Parlez, parlez ; il n'y a pas autre chose à faire. Tout cela est dégoûtant, il faudrait bien qu'on le sût. Quand avez-vous connu le nom du véritable coupable ? ”

Panizzardi said—

“ M. de Schwartzkoppen aurait eu envie de le nommer depuis longtemps, mais j'ai toujours détourné la conversation, vu que cela ne me concernait pas personnellement. Mais avant de partir pour Berlin, après la fameuse scène du revolver, M. de Schwartzkoppen me dit : ‘ La bombe va éclater bientôt ; je vous donne une primeur. **Mon homme, c'est le commandant Esterhazy.** ’ ”

Completely overcome by all he had heard, Casella cried out :

“ Mais tout cela est horrible, mon colonel ! M. de Schwartzkoppen n'est pas un honnête homme s'il continue à se taire. Il sera cloué au pilori par le monde civilisé ! Et vous, est-ce que vous ne pourriez pas commencer par dire quelque chose ? ”

The Italian military attaché answered :

“ Mais que voulez-vous que je fasse ? J'ai des ordres formels de mon gouvernement, parce que je ne suis pas

impliqué directement dans cette triste affaire. C'est Schwartzkoppen qui devrait commencer, ou qu'il me fasse seulement signe et je donne ma parole de soldat que devant une commission rogatoire je confirmerai tout ce que je viens de vous raconter. Mais mettez-vous à ma place: je ne puis pas être le premier à faire des aveux."

I have thought it well, in a matter of such importance, to give Count Casella's exact words. I need hardly say that, again, no contradiction whatever came either from Colonel Schwartzkoppen, or from Colonel Panizzardi. Count Casella's narrative was, obviously, exactly true.

Under these circumstances, no doubt was left in the minds of critics and *intellectuels* all over the world; that is to say, all sensible and honest people who were in possession of the entire facts of the case, arrived at the same conclusion. That Colonel Schwartzkoppen (an officer recently promoted, and high in the favour of the Emperor of Germany), Colonel Panizzardi the Italian attaché, and Count Casella (a relative of the Italian ambassador), had all three united in a conspiracy to save Dreyfus the guilty, and damn Esterhazy the innocent, was unthinkable.

Moreover, on Saturday, May 21st, it had been definitely decided by the *juge d'instruction*, M. Bertulus, that the whole of the Boulancy letters, including the villainous "Uhlán letter,"* were written by Esterhazy.

Therefore, at this point in the matter there was no longer any doubt, in spite of the sustained

* See page 90.

insincerity of the French Government, that Commandant Esterhazy had been for years in secret communication with Colonel Schwartzkoppen, the German military attaché.

The only doubt was as to how many of those officers at the Ministry of War, and the Intelligence Department, who had certainly screened Esterhazy by "criminal intrigues,"* might, if the whole truth were known, turn out to have been for years actively engaged in assisting him.

XXXIX.

ESTERHAZY THE DICTATOR.

On May 30th, 1898, an article in M. Georges Clemenceau's usual terse and admirable style appeared in the *Aurore*. It was entitled *Sous l'Uniforme*, and it expressed the exact wondering and indignant thought of thousands.

M. Clemenceau said :

"I have just received a curious letter from a Russian, who writes to me : 'And now that it has been legally established that Esterhazy is actually the author of the "Uhlán" letter, what will be done to him?' My very dear and innocent Cossack,

*To use the expression of M. Jean Jaurès.

nothing whatever will be done to him. He is an officer of our army of reserve, and, if war were declared, a battalion of French soldiers would be entrusted to him to lead against the enemy. (He is thoroughly competent to point out the road.) It is the defenders of our army who have arranged that this should be so. Those who do not understand why French soldiers should be placed under the orders of a man who is never tired of flinging dirt at them, are traitors—do you see? It only needs a little clear definition of words, in order to come to a perfect understanding. Esterhazy, who is so anxious to burn Paris at the head of his Uhlans, is a French officer, and not only does not one of our leaders dream of stripping him of his uniform, but they all go out of their way to please him. Generals grasp his hand, princes welcome him,* a patriotic senator only yesterday wept into his bosom, and the mob applauds, crying: ‘Death to Zola! for it is Zola who is not a true-hearted Frenchman.’

“Having seen a good many strange things in my life, I quite thought till this incident happened, that nothing could astonish me. All the same, I confess that this last exhibition of ministerial and military patriotism does cause me, even at this point in my experience, a feeling akin to stupefaction. As long as it was possible to affect to believe that the infamous “Uhlan” letter was not from the hand of Esterhazy, an excuse could be urged for the attitude of the authorities. The plea of uncertainty could

* It will be remembered that Prince Henry of Orleans gave the warmest and most cordial greeting to the author of the “Uhlan” letter, outside the Palais de Justice, on the occasion of Zola’s first trial.

be put forward. President Delegorgue forbade Madame de Boulancy to give her evidence, and it was possible to make a pretence of knowing nothing about the epistles in which General Saussier was called a 'clown,' and in which it was announced that the Germans were about to chase French soldiers through France, with blows in the back from the butt-ends of their muskets. Up to that point it was Zola who was insulting the army. You should have seen Van Cassel the Dutchman weeping crocodile's tears over the suffering which the advocate for the *Aurore* was inflicting on Esterhazy, when the advocate ventured to press the poor creature as to whether he had any knowledge of the authorship of the disgraceful letters in question! You should have heard the Esterhazian rabble hooting my brother,* when he inquired of the Uhlan whether a certain M. de Schwartzkoppen was not numbered among his acquaintances!

"All that was well enough as long as it remained possible to lie and to deny. But now that this is no longer possible, what excuse can be urged for leaving the epaulettes on the shoulders of the man who has heaped the grossest insults upon France and the French army? It is very clever to prosecute Zola for having alleged that certain officers had given a verdict 'by order'—a thing of which history furnishes a hundred examples—but Esterhazy has said very different things from that. Why all this mad rage against one, and this tenderness for the other? I am perfectly aware that at the present moment

* M. Albert Clemenceau, who assisted M. Georges Clemenceau in the defence of the *Aurore* at Zola's first trial.

Author's note.

everything is considered allowable. A man may with impunity be delivered over to the savagery of the public. Any person who pleases may insult him, may throw mud at him, may strike him in what he holds dearest. Anything is lawful, if only directed against *him*. At Versailles I even heard fine ladies, who no doubt thought themselves leaders of fashion, exciting each other to 'spit upon' the man whom they supposed to be defenceless. The vestal virgins in old times, when they gave the sign for the death of the gladiator, were cruel, but they were not cowardly. We are progressing but in the wrong direction. And then, the moment *the commandant* appears, there will be smiles, and mincing ways, and catlike attitudes. Painful example of feminine meanness !

"But, when the hot chase is over, when his enemies have had the satisfaction of tearing Zola quite to pieces, and of glutting themselves with his flesh and blood, what then will become of the other man ? That is what I am particularly anxious to ask M. Le Mouton de Boisdeffre and Billot his chief, who are responsible for 'the honour of the army.' I quite understand that they are acting in connivance with Félix Faure, and with the magistracy, and with the legislators, who are all rivalling one another in cowardice. But behind all these there is France, as was lately said by someone in the course of a law-suit connected with treason,—France who will never forgive those who have deceived her.

"To hasten the advent of this day which I invoke, I see nothing more likely to be useful than the retention in uniform of that public enemy who hates

us all with the hatred of a drunken brute. The contrast is too abominable. It will end by rousing in revolt what remains among us of French common sense. Then, those who are triumphing so loudly to-day will have a very unpleasant hour, passed in reaping what they have sown. It is true that we are not among those who conduct people to places favourable for 'spitting upon' them. But everything rights itself, everything brings its expiation, and each human being will have to settle his account. For the moment it is enough to say that there is still time to let justice (the real justice) act as arbiter between us all. Do not allow the opportunity to slip by."

That it should have been possible for a writer of the culture and passionate sincerity of M. Georges Clemenceau to write such an article, every word of which was most true and warrantable, in May, 1898, is in itself one of the saddest comments conceivable on the condition of his country at that moment. Not only was the officer who had been for years in treasonable communication with the German military attaché, and who was now proved to be the author of the abominable "Uhlan" letter, left quietly in possession of his rank, he was also left in possession of the Cross of the Legion of Honour. Not only was Esterhazy left in possession of the Cross of the Legion of Honour but the most determined attempts were made, on the part of General Billot and the military authorities, to strip that decoration from the breast of Emile Zola.

After the verdict given in the Seine Assize-Court

had been quashed by order of procureur général Manau, General Billot, who knew that in any serious battle a certain amount of light flashes from the crossed sword-blades, was anxious that the matter should proceed no further. He put before the judges at the newly summoned Court Martial two questions. They were to consider :

1. Whether they themselves, personally, wished to continue the prosecution of M. Zola for his accusations against them in the *Aurore*.

2. Whether they desired General Billot to take steps, with a view to the removal of M. Zola from the list of officers of the Legion of Honour.

The acceptance of the second point, would have settled the matter satisfactorily, from General Billot's point of view. The Cross would have been removed from the breast of Zola, and left on the breast of Esterhazy, a proceeding which would have highly conduced towards satisfying that "honour of the French army," which General Billot was so anxiously defending. At the same time the whole affair would have been closed, and there would have been no more opportunity, for the moment, of calling into the witness box officers who had everything to gain by concealment, everything (as General Billot very well knew) to lose by telling the truth.

The seven officers, however, this time, stung probably by the contemptuous laughter which had rung through Europe when the result of Zola's first trial was made known, determined to exercise an independent judgment. They rejected the kind advice of M. Judet of the *Petit Journal*, paid no attention to the hints of M. Rochefort, and they were deaf to the suggestions of General Billot.

They answered both the questions put before them in the affirmative.

And therefore it was that, as we have seen, M. Zola and M. Perrenx made their appearance before Périvier the Strong, on the 23rd of May, 1898, at Versailles.

As to the wonder expressed by M. Clemenceau in the article from which I have been quoting, astonishment at the fact that all official France had united in cringing at the feet of a man certainly proved to be a scoundrel, one is inclined to remark : "Why wonder?"

Was it not by this time perfectly obvious that several chiefs of the French Army must have the strongest possible private reasons for siding with the author of the "Uhlán" letter? Was it not deplorably evident that Esterhazy was in reality the master of the situation, and that the officers of the General Staff were forced, willing or unwilling, to go solid with him?

This much seemed absolutely certain. But what was the exact secret which Esterhazy the Dictator knew, the knowledge of which enabled him so to terrorize—for, frankly, that is what it comes to—such highly positioned officers of the French army as General de Boisdeffre, General de Pellieux, General Mercier, General Billot, and General Gonse, that they were positively compelled to support him in everything, to defend him in everything, to throw a veil over his clearly established treasonable correspondence with Colonel Schwartzkoppen, and, finally, to fraternise in the friendliest way with the French

officer who was now legally proved to have written ;

"I have the most absolute conviction that these French people are not worth the cartridges which would be wasted in slaughtering them... If, this evening some one were to come and tell me that I should be killed to-morrow, while engaged as a captain of Uhlans in sabring Frenchmen, I should be perfectly happy.

..." What a very poor figure all these people would cut in the red light of battle (*dans un rouge soleil de bataille*), in Paris taken by storm, and delivered over to the pillage of a hundred thousand drunken soldiers.

"That is a fête which I dream of.

"So may it be !"*

XL.

THE RUSSIAN ALLIANCE.

At this point in the story an interesting article appeared in the *Deutsche Rundschau*, "from the pen of a general staff officer, and declared correct before its publication by a prominent statesman." For a time it led critics back to the idea that the Russian

* See page 90

alliance was, after all, as I suggested when writing on the subject in March, 1898, the key to the mystery, and that the "exact secret" which rendered it absolutely impossible for the French military authorities to repudiate Esterhazy was the fact that they had employed him in furnishing false estimates of the strength of the French forces to Russia, at a time when the Russian alliance seemed the one thing desirable and necessary for France.

The *Deutsche Rundschau* affirmed that, some time before the conclusion of the Franco-Russian alliance, but when the two States and their representatives were drawing nearer together, the Russian military attaché at Paris asked Captain Dreyfus for an exact statement of the military strength and resources of France. Dreyfus thereupon, as in duty bound, at once communicated with General de Boisdeffre, the Chief of the French General Staff. General de Boisdeffre ordered Dreyfus to draw up the tables, but to bring them to him for inspection before delivering them to the Russian attaché. But, when the figures were brought, General de Boisdeffre found that Dreyfus had told the exact truth. This much disgusted the French General, who wanted the figures "cooked" in the interests of France. He accordingly ordered his subordinate to do the work over again, quoting higher figures. Dreyfus being, most unfortunately for himself, not a Catholic general trained at a Jesuit seminary, but a Jewish subaltern with a conscience, flatly refused, saying that he could not supply the Russian military attaché with figures contrary to the actual facts.

The natural consequence followed. The work

was removed from Captain Dreyfus, and put into other and less scrupulous hands: the hands, namely, of Commandant Esterhazy. General de Boisdeffre caused Dreyfus' correct figures to be destroyed, and an incorrect and optimistic report was drawn up, according to orders, by Commandant Esterhazy, and subsequently despatched to the Russian military attaché. It was probably represented as the work of Captain Dreyfus, though this is not yet certainly known. In any case, Dreyfus thought it a duty to himself not to allow the Russian attaché to believe that he was in any way responsible for the misleading figures, and so forwarded to that officer a statement of his own, in which the actual facts appeared. The chief of the French General Staff was informed of this by Esterhazy.

So ran the account published in the *Deutsche Rundschau* in June, 1898.

Critics in France, though they admitted the force of the reasoning, were naturally slow to proclaim publicly their adhesion to the theory. It was not pleasant to believe that the Russian alliance had been largely obtained through General de Boisdeffre's careful "faking" of the French military statistics.

Obviously, if the *Deutsche Rundschau* were well informed, the conduct of Dreyfus at the time when the "faked" statistics were supplied to Russia, rendered, not only his removal from the Intelligence Department, but his complete suppression, if possible, one of the very first of military and political necessities. A man who refuses to tell lies at the order of his superior officers is not only useless, but is a vital element of danger, I will not go so far as to say in

any army, but most certainly such was the case in the French army of 1898—or of 1894, the year in which Dreyfus was condemned. As I say, it was obviously the complete suppression of the dangerous witness which was aimed at. The reason of the only too visible—indeed, hardly at all disguised—longing for the death of this unfortunate officer which had for a considerable time prevailed at French ministerial and military head-quarters, became palpably apparent. The special law which was passed, after his conviction, in the French Parliament, empowering the authorities to place him in complete isolation, in an abnormally deadly climate, had, as was now realised, a very distinct and important meaning. Honest people began to remind one another that exactly the same infamous method had been pursued in the case of Colonel Picquart. Like Dreyfus, he had told the truth, which was evidently, from the point of view of the French Government and General Staff who were in power from 1894 to 1898, the most shocking and unsoldierlike thing that a French officer could possibly do. Like Dreyfus, he had become, by the very fact that he loved truth, a source of the extremest danger to those whose prosperity and whose safety depended upon continuous falsehood. As in the case of Dreyfus, complete suppression of the truth-speaking individual became a political and military necessity. Colonel Picquart was peremptorily despatched to the disturbed frontier of Tripoli,* where, it was confidently hoped, the Touaregs or other wild tribes would effectually prevent him, as the climate of

* See page 74.

Devil's Island would no doubt soon debar for ever Captain Dreyfus, from making any more awkward discoveries.

Taking the above suppositions as something more than conjectural, it seemed possible that the French generals, at the time when they employed Esterhazy, as the willing go-between, to hoodwink and trick Russia, were really unaware of his private negotiations with Colonel Schwartzkoppen, the German military attaché—or perhaps those negotiations, as proved by Count Casella, were of subsequent date. At any rate, it was tolerably certain that the whole Continent had been victimised by the singular genius for fraud displayed by one remarkable and unscrupulous man: Count Walsin-Esterhazy. If he had indeed, as the *Deutsche Rundschau* and other well-informed journals and persons in Russia and elsewhere asserted, been used by General de Boisdeffre as the instrument for deceiving the Russian military authorities, it was, of course, perfectly clear to him that he held General de Boisdeffre and the whole of the French General Staff in the hollow of his hand. He might plot and be guilty of high treason on his own account as much as ever he pleased, and supply Colonel Schwartzkoppen not with merely 162, but with thousands of treasonable documents, if it suited him. He knew perfectly well that his illicit connection with General de Boisdeffre in reference to the Russian affair rendered it impossible for any one to touch him. Even if he were proved—as by this time was practically the case—to be steeped to the arm-pits in treason, his Generals were bound to stand by him to the last; especially

if, as now seemed likely, he had written the *bordereau* at their express order, to be used as chief evidence in the summary extinction of Dreyfus. The whole French War Office, and in fact the whole French Government had, through their dishonourable conduct in regard to their Russian ally, with their own hands placed themselves in the most unfortunate position of having to sink or swim with one man, and that man a proved scoundrel. Historically, such a position is almost, if not quite, without precedent.

If further proof were wanted as the character of the officer whom Prince Henry of Orleans greeted so effusively, after Zola's first trial, and whom the French military chiefs were defending by falsehood after falsehood, it was supplied at this point in the history by the action "for separation of goods" brought by Madame Esterhazy against her husband. Ten years previously an action had been brought against him by his wife in the Marseilles Law Courts, and a *séparation de biens* had been granted. But Madame Esterhazy had been persuaded to give the commandant another chance, and had not acted upon the Marseilles decree, which therefore became null and void. But now, in the month of May, 1898, Madame Esterhazy's jewels and *dot* being nearly exhausted in paying the debts of the friend of Prince Henry of Orleans and General de Pellieux, and she and her two children being reduced to great poverty, a second action became necessary.

The case was heard on May 25th, 1898, before the first chamber of the tribunal of the Seine, M. Beau-doin presiding. Maître Robinet de Cléry explained

the unfortunate position of his client and her children, and concluded his speech thus :

"Aujourd'hui Madame Esterhazy est à peu près ruinée. Elle a deux enfants. Cette mère, cette femme qui a fait plus que son devoir mérite à la fois toute l'estime, toute l'attention et toute la pitié de la justice."

Esterhazy did not appear, and judgment was at once pronounced against him. I give the exact words of the judgment, as I am anxious in this work to be minutely accurate in every particular.

The tribunal :

"Attendu que la dot de la demanderesse a été non seulement mise en péril, mais en partie dissipée par le désordre des affaires de son mari,

"Prononce contre Esterhazy, défaillant, la séparation de biens au profit de la demanderesse, nomme Maître Constantin, notaire, pour procéder à la liquidation, et condamne Esterhazy aux dépens provisoirement fixés à cinquante francs."

That was clear enough, and it was a relief to the general conscience to have this point, at any rate, satisfactorily settled. No doubt Esterhazy, as a proved traitor of many years' standing, ought to have been shot. But while the soldiers of the execution squad were loading their muskets—which seemed to take a long time—it was certainly something, in the then condition of French "justice," to know that the remainder of his wife's property had been saved from dissipation at his hands, and that "costs" had been adjudged against him "provisionally amounting to fifty francs."

But the all-important thing to notice is that even in this matter Esterhazy the Dictator held the Government and his superior officers in a leash.

They were, all of them, evidently, at his mercy. For the most unusual precautions were adopted by the authorities, in the interest of their singular *protégé*, in order to keep dark, as far as possible, the proceedings taken against him by his wife, and the result. First of all, the hearing of the case was carefully adjourned until after Zola's appearance at Versailles on May 23rd, lest Esterhazy's domestic turpitude might tell against him in the eyes of the Versailles jury. The announcement of the case was not entered in the usual manner upon the list at the Law Courts, nor was the hearing of it publicly proclaimed at the *appel des causes*. Last and most significant point of all, the case was not heard until five o'clock in the afternoon, when most of the public had left the Courts.

XLI.

THE FORGED "HONOURABLE MENTION."

As a further sample of the extraordinary shifts to which the French military authorities were reduced, in order at all costs to save Esterhazy from exposure, let me call attention to the conduct of the War Office in the matter of Esterhazy's forgery of the "honourable mention" of his own name in the Tunisian "order of the army."

The facts were as follows. In the second fortnight of August 1881, Esterhazy, then a captain, was attached to the marching column formed in Tunis under the orders of Lieutenant-Colonel Corréard. This column, composed of battalions of the 135th, 125th, and the 65th regiments of the line, marched from the borders of the Gulf of Tunis in the direction of Hammamet, encountered the Arabs in the neighbourhood of El-Arbain on the 26th and 29th of August, and fell back on the 30th to Hammam-Lif.

On the 31st of August, Lieutenant-Colonel Corréard issued "an order of the day" (*un ordre de l'armée*), in which he made honourable mention of three officers: Captain Giovannoni, Lieutenant Jecker, and Lieutenant de la Coste. Esterhazy was not mentioned, or referred to in any way.

His name, however, along with the names of some other officers belonging to the Tunisian battalion of the 135th regiment, was mentioned, not in an *ordre de l'armée*, but in a simple *ordre du régiment*,* by the Colonel† of the 135th, which was at that time stationed at Châteauroux. Esterhazy, with his usual genius for making the most of opportunities, availed himself of this fact, and had the impudence to quote this simple home mention everywhere as a citation made in the face of the enemy. He had a copy of it drafted with the stamp of the regiment upon it, showed it about as a genuine "Tunisian citation," and had it inscribed upon his

* This order was dated September 1st, before any official or complete information could have been received.

† Colonel Carcanade.

record of service. It was this public advertisement of himself by Esterhazy which drew the attention of General Guerrier* to the matter, and led to the discovery of the fraud. When the fraud was proved, General Guerrier and the Commander in Chief of the third *corps d'armée* reported it to the Minister of War, who ordered—not the “rectification” as advocate-general Van Cassel stated at Zola’s first trial†—but the complete erasure of the fraudulent “mention” from the record (*la radiation de la citation reconnue fausse*).

Before M. Van Cassel told his falsehood in the Seine Assize Court, General Billot the Minister of War had given him the lead by deliberately setting a purposely “doctored” document before the military judges at the sham Court-Martial held upon Esterhazy. As Esterhazy, for certain reasons, had to be saved at any cost, General Billot sent General de Luxer and the judges a false *dossier*; a *dossier* from which the notes tending to the discredit of Esterhazy had been made to disappear, and in which the very “honourable mention” which the War Office had previously recognised as false and ordered to be expunged, appeared. Naturally, after this interesting little performance, it was impossible for the Govern-

* Who was in command at Rouen, while Esterhazy was quartered there.

† The advocate-general, acting under instructions from General Billot, took advantage of the jury’s natural ignorance of military details, and attempted to “fog” them into believing that Colonel Carcanade’s home mention of Esterhazy, which was merely a sort of act of courtesy, had the same official weight as a *citation* in Colonel Corréard’s “*ordre du jour*,” made in presence of the enemy. As a matter of fact, Esterhazy’s battalion was not engaged with the enemy at all on this occasion, but was simply set aside to watch the troops of the Bey, whose fidelity was doubtful. General Guerrier was made acquainted with the fraud which Esterhazy had practised, by his son-in-law, who was serving in one of the battalions which took part in the action.

ment to allow General Guerrier, whom Zola had summoned as a witness, to be examined at the Seine Assizes. His evidence would have exposed General Billot. Therefore, Delegorgue the subser-vient was instructed to close General Guerrier's mouth by putting forward the excuse that the summons to appear had been served upon this witness twenty-four hours too late. From one end to the other, from 1894 to 1898, the history was one miserable web of forgery, prevarication and falsehood, on the part of French ministers and generals. The hands which shamelessly altered, for the purpose of destroying an innocent man, the letter D... into the full word *Dreyfus*,* were not likely to stick at trifles.

All honest men were able to sympathise with the despairing cry of M. Georges Clemenceau, when the conduct of the War Office and the Government, in regard to Esterhazy's *fausse citation*, became fully known; the despairing cry of:

"Que dire après cela ? menteurs ! menteurs !"

* See page 65.

XLII.

A TERRIBLE PRECEDENT.

It is a singular thing how history repeats itself, and it is a still more singular thing how little effect the repeated warnings of history seem to have upon the minds of those who occupy responsible positions. About a hundred and twenty-eight years before the arrest of Captain Dreyfus, a French general of distinction, General Lally-Tollendal, who had fought with heroism against the English in India and been taken prisoner, was accused by his countrymen of high treason. He obtained permission from the English Government to appear and take his trial in Paris. General Coote of the English army, spoke of General Lally-Tollendal in the highest and most chivalrous terms, stating that in his opinion the French Commander had surmounted obstacles in India which could not have been surmounted by any other man. Nothing but the most trumpery evidence was adduced against him. A lying act of accusation was drawn up by P. Lavaur, a Jesuit, and on account of his very loyalty and integrity, Lally-Tollendal was attacked with the greatest violence by a clique of cowards and traitors. As often happens, the cowards and traitors gained the day. Lally-Tollendal, after being refused the help of a counsel and denied the right of cross-examining the suborned witnesses, was found guilty of high-trea-

son, * and condemned to death. He was executed on the ninth of May, 1766. A gag was placed in his mouth in order to hinder him from addressing the crowd, or asserting his innocence.

There were two men, however, who had the audacity not to respect the *chose jugée*. These men were Voltaire and Count Lally, the son of General Lally-Tollendal. Twelve years after the execution of the general, through their combined efforts, a revision of the sentence was obtained. The decree of the Parliament of Paris was revoked by the Council of Louis XVI, and the memory of General Lally-Tollendal was cleared of all aspersion. That was, undoubtedly, an important and valuable result to arrive at in the year 1778. But how much better it would have been if the previous monarch, Louis XV, instead of listening to the advice of evil counsellors, had given Lally-Tollendal a fair trial in the year 1766,—or, after the iniquitous pretence of a trial, had paid attention to the representations of some of the most considerable men of the time, and had delayed the execution of the sentence till the truth had been brought to light. To proclaim a man absolutely innocent twelve years after his head has been cut off is, after all, but a lame and tardy method of administering justice.

Not that Louis XV was devoid of scruples in the matter. The mischief of it was that he, like the French ministers and generals of the year 1898, had such a consummate respect for the *chose jugée* that

* It was asserted among other things that he had sold Pondicherry to the English.

he did not dare to carry his scruples into effect. Marshal de Soubise, in the name of the army, implored the king's clemency. But a deputation from the Parliament came at the same time, begging Louis not to yield to his instinct of mercy (*à enchaîner sa clémence*), and Louis himself held the precise opinion professed more than a century later by General Billot, General de Boisdeffre, M. Méline, and the rest of the eminent opponents of the revision of the Dreyfus *procès*. To the petitions presented to him the king kept replying: "*Il est trop tard; il est jugé, il est jugé.*"

However, after General Lally-Tollendal had been beheaded, Louis XV was unwise enough to allow his mind to dwell upon the matter, and to entertain some doubts as to the legality, after all, of the proceeding. The king's reflections were evidently of a painful nature, for, four years after the execution of Lally-Tollendal, he said publicly to Maupeou, his Chancellor: "*Ce sera bien vous qui en répondrez; ce ne sera pas moi.*"

It is worth while to point out that, like Captain Dreyfus, General Lally-Tollendal was of foreign extraction, and that his enemies used this fact as a means of exciting popular feeling against him, exactly as such writers as M. Drumont, M. Judet, and M. Rochefort, used the facts of Captain Dreyfus being a Jew and M. Zola's father being an Italian, in order to poison the minds of the French public. In point after point there is the most lamentable resemblance between the two episodes.

One hundred and sixty different charges were brought against Lally-Tollendal, and, Voltaire adds:

“Les cris du public en augmentaient encore le nombre et le poids ; ce procès devenait très sérieux malgré son extrême ridicule.”

Some of the heads of accusation were even more silly than those devised by Colonel du Paty de Clam and Commandant Besson d' Ormescheville in the case of Dreyfus ; and that is saying a good deal.

The following were some of the heads of charges. It was alleged :

No. 88. That General Lally-Tollendal had condemned a hair-dresser, who had burnt the shoulder of a negress with his hot iron, to be brandel on the shoulder with the same iron.

No. 104. That the General was not always sober.

No. 105. That he had compelled a Capuchin friar to sing in the street.

No. 106. That he had asserted that Pondicherry resembled a house of ill fame.

No. 112. That he had had his horses fed upon rice.

No. 131. That he had sometimes given the soldiers punch made with cocoa.

No. 144. That, during the siege of Pondicherry, he had caused fireworks to be let off without any sufficient reason.

No. 145. That he had gone the rounds at night, with drums beating.

No. 147. That he had put himself under treatment for an abscess of the liver, without the abscess having burst.

All this to prove that General Lally-Tollendal had sold Pondicherry to the English, just as, in the year 1898, the French General Staff instructed M. Judet

to allege that the father of Emile Zola abstracted money in the year 1830, in order to prove that Captain Dreyfus sold secret documents in the year 1894!

Notice now that, just as in the case of Captain Dreyfus, the authorities, both civil and military, almost without exception ranked themselves on the side of illegality and injustice, employing the forms of the law to render the law of no effect, while, on the other hand, the men who came forward, not only in France but over the whole world, on the side of truth and equity, were the *savants*, the artists, the critics, the literary men, the men of science* of every country, so, at the time of the unjust sentence passed upon Lally-Tollendal, while the authorities, from the king downward, were upon the wrong side, it was to the critics, the *savants*, the free-thinkers, of the age, that the flag of truth had to be entrusted.

Prominent among the men of genius who spoke out courageously, protesting in the name of common sense and justice, against royal cowardice, ministerial intrigue, and popular folly, we find (as we should expect to find) Voltaire and Condorcet.

A month after the execution Voltaire wrote :

“La France est le seul pays où les arrêts ne soient point motivés. Ceux qui font mourir des citoyens sans dire précisément pourquoi sont assurément les plus despotiques des hommes.”

Voltaire, who was seventy-two years of age when he wrote this, was granted the great happiness of living to see his efforts for the rehabilitation of the memory of General Lally-Tollendal crowned with

* In one word, the despised *intellectuels*.

success, and the conclusions towards which his critical faculty had directed him proved in this instance to be absolutely accurate. But this triumph was the last triumph of the great thinker and lover of truth, for Voltaire died on May 30th, 1778, just nine days after the decree of the Parliament of Paris in respect of Lally-Tollendal had been declared null and void by Louis XVI.

Voltaire's last letter, written on May 26th, 1778, four days before his death, to the son of Lally-Tollendal, was a declaration of his joy and thankfulness at hearing "the great news" that justice had at length been done :

"Le mourant ressuscite en apprenant cette grande nouvelle ; il embrasse bien tendrement M. de Lally ; il voit que le roi est le défenseur de la justice ; il mourra content."

As for Condorcet, his language on the matter was admirably strong and clear, and every word of it could with the most signal justice be applied to the conduct of the authorities in the Dreyfus case. As I have been pointing out, history repeats itself with the most surprising and rigorous exactness.

In 1781, fifteen years after what might in justice be called the judicial murder of Lally-Tollendal, while the proceedings for the definitive rehabilitation of his memory were in progress, a member of the Parliament of Paris, Duval d'Eprémesnil, the nephew of a Pondicherry merchant who had been a deadly enemy of Lally, thought it necessary, for the sake of the memory of his uncle and for the honour of the Parliament of Paris, to intervene in the *procès*. He attacked Voltaire with great violence, invoking

against him "le suffrage des pères sages, des mères judicieuses, des époux vertueux, des amis sincères, des auteurs-citoyens, des magistrats incorruptibles, des souverains prévoyants, de tous ceux en un mot pour qui les mœurs sont encore quelque chose."

The unconscious irony of the invocation of the *magistrats incorruptibles* becomes almost too terrible, when one recalls the actual behaviour of these magnates at the time of the so-called trial of Lally-Tollendal; and, we may add, the behaviour of their official descendants on the occasions of the so-called trials of Dreyfus, Esterhazy, and Zola. As for the *pères*, the *mères*, and the *époux vertueux*, these were the very persons whom General de Pellieux *dit de la Boucherie* ("Butchery" Pellieux, or "Butcher" Pellieux, as we should call him in our rough English), did his utmost at Zola's trial to intimidate, by telling them that, unless the jury convicted Zola, "their sons would be led to butchery."

But listen to Condorcet's reply to the *premier plaidoyer de M. d'Eprémèsnil dans l'affaire du comte de Lally*. Condorcet's words, written in 1781, so absolutely apply to the conduct of the French Government and the French War Office, in respect of the Dreyfus affair in 1894 and onward, that it is both imperative to quote them and painful to read them.

Condorcet wrote :

"Qu'on veuille ériger en principe qu'un innocent, une fois condamné, doit, pour l'honneur de la magistrature, rester à jamais chargé de l'opprobre; qu'on fasse du tribunal qui doit défendre les citoyens un tyran qui ne meurt point et dont les injustices doivent être à jamais irréparables; qu'on montre dans un arrêt qui réhabiliterait

la mémoire du comte de Lally la subversion des lois et des principes, comme si le comte de Lally était le premier innocent condamné dont la mémoire eût été réhabilitée, comme si les arrêts contre l'amiral de Coligny et Mazarin n'avaient pas été reformés; qu'on veuille nous forcer d'adorer une procédure qui permet de refuser à l'accusé un conseil, qui lui ôte ce conseil lorsqu'il est en présence du juge et des témoins, qui ne lui permet pas d'avoir une copie des procédures faites contre lui pour les examiner de sang-froid; que lorsqu'un fils, en défendant son père, a osé révoquer en doute ou la véracité de ses accusateurs ou l'impartialité de ses juges, on s'étonne que ce doute soit resté impuni; que si la douleur arrache à ce fils infortuné des cris d'indignation, on s'étonne que ses cris n'aient pas été punis comme un nouveau crime: de telles idées sont un outrage à l'humanité comme à la raison.

"La première raison alléguée pour affaiblir le témoignage de Voltaire en faveur du comte de Lally, c'est qu'il a prononcé sans connaissance de cause, puisqu'il n'a pas vu la procédure. Quoi! parce que vous ne permettez pas aux citoyens de voir sur quel titre vous décidez de la vie des hommes, parce que vous cachez dans l'ombre les motifs de vos arrêts, il faudra les respecter comme des oracles?"

If Condorcet had been writing in the year 1898, and criticising the refusal of General Billot, M. Milliard, and M. Méline, to subject the Dreyfus *procès* to revision, he could hardly have used other language. Did I not do well to place at the head of this Section the words:

A Terrible Precedent?

XLIII.

THE REPUBLIC OF 1870 AND THE REPUBLIC OF 1898.

Readers of our great English Republican poet will remember the magnificent rapture of poetic enthusiasm with which he hailed the advent in September, 1870, of the young French Republic. Conservatism had not at that time thrown its shadow over Mr. Swinburne; he was still the ardent admirer of Mazzini and the loving disciple of Victor Hugo; and the proclamation of the Republic in Paris on the historic Fourth of September, under circumstances terribly dramatic, inspired him with some of the finest verses in the English language.

“Who is this that rises red with wounds and splendid,
All her breast and brow made beautiful with scars,
Burning bare as naked daylight, undefended,
In her hands for spoils her splintered prison-bars,
In her eyes the light and fire of long pain ended,
In her lips a song as of the morning stars?

“O torn out of thy trance,
O deathless, O my France,
O many-wounded mother, O redeemed to reign!
O rarely sweet and bitter
The bright brief tears that glitter
On thine unclosing eyelids, proud of their own pain;
The beautiful brief tears
That wash the stains of years
White as the names immortal of thy chosen and slain.

O loved so much so long,
O smitten with such wrong,
O purged at last and perfect without spot or stain,
Light of the light of man,
Reborn republican,
At last, O first Republic, hailed in heaven again !
Out of the obscene eclipse
Re-risen, with burning lips
To witness for us if we looked for thee in vain.

“ This power thou hast, to be
Come death or come not, free ;
That in all tongues of time’s this praise be chanted of thee,
That in thy wild worst hour
This power put in thee power,
And moved as hope around and hung as heaven above thee,
And while earth sat in sadness
In only thee put gladness,
Put strength and love, to make all hearts of ages love thee.
That in death’s face thy chant
Arose up jubilant,
And thy great heart with thy great peril grew more great :
And sweet for bitter tears
Put out the fires of fears,
And love made lovely for thee loveless hell and hate ;
And they that house with error,
Cold shame and burning terror,
Fled from truth risen and thee made mightier than thy fate.
This shall all years remember ;
For this thing shall September
Have only name of honour, only sign of white.
And this year’s fearful name,
France, in thine house of fame
Above all names of all thy triumphs shalt thou write,
When, seeing thy freedom stand
Even at despair’s right hand,
The cry thou gavest at heart was only of delight.”

These lines, taken from Mr. Swinburne's "Ode on the Proclamation of the French Republic," and written by the English poet at a time when his mind was moving in perfect harmony with the developments of liberal thought upon the Continent, gave exact and superb expression to the spirit of universal joy and hope with which the birth of the young Republic was hailed. Victor Hugo's lyrical genius spoke in France to the same effect, and all souls capable of love and aspiration felt that the dawn of a new era had commenced. How long would it last? How long would the Republic find strength to hold out against its innumerable enemies? What would be the priceless conquests won for the freedom and happiness of humanity during the period of Republican rule, whether that period were destined to be brief or protracted? These were the questions which all thoughtful persons were asking in the years 1870 and 1871.

In the year 1898, on May 26th, after nearly thirty years of Republican government, a French Republican of the older generation wrote sorrowfully to the *Siècle* :

"I belong to the generation which was just growing to manhood when, twenty-seven years ago, in the face of unspeakable disaster, the Republic appeared to us in our grief, bringing with it the promise of a regenerated country. With what passionate fervour we placed ourselves in the Republic's hands! Conquered, humiliated, crushed, we none the less endured terrible suffering with a sort of bitter and savage pleasure, feeling in our hearts a perpetual fountain of sacred hope. We had faith : faith in the genius

of France, faith in her spiritual mission,—above all, faith in the moral power of liberty.

“And if at that moment any prophet had come to reassure us as to the duration of the Republican *régime*, if he had been able to guarantee that the close of the present century would find the Republic still firmly established, ah ! what extreme delight we should have felt ! Thirty years of the Republic ! Why that would mean the grand task crowned with success, the lost territory restored to France and the conscience of the country appeased. France in full possession of her strength and placing that strength at the disposal of her true genius, of that idealism so unsectarian, so free, so generous, so universal, which belongs only to her ! That would mean the realisation of our dream.

“What would have become of us if any one had undeceived us, if any one had put before us a faithful picture of the reality ; beyond the frontier, Alsace, so to speak, lost over again, her image put on one side and become tiresome * ; three hundred thousand Christians slaughtered beyond the Mediterranean, without a single shudder indicating that France has the least recollection of once having been the champion of justice, the protector of the oppressed ; in the country itself the form of the Republic preserved, but only on the condition of its emptying itself of its contents, of its spiritual substance ; the spirit of the Revolution mocked at or tacitly denied, republican France occupied, under the indulgent gaze of a republican Government, in purging the national soil of heresy ; the proceedings of St. Bartholomew

* See page 196.

renewed in the great towns, citizens massacred, houses pillaged in the name of religion ; a most important question of public duty placed before us, the country given the opportunity of voting for right, for justice, for truth, but rising almost to one man in defence of reasons of State, arbitrary judgments, iniquity, falsehood ; those whose office it was to lead and enlighten the country, applying themselves to the task of misguiding it, of hurling it from its natural path, and with that intention making actual the infernal plan of Mirabeau, that is to say, constructing the immense machinery of the corrupt press, and by means of it systematically poisoning public opinion !”... *

The writer concluded his letter to the *Siècle* by the following warning :

“ And I am very sure that there is no fact more certain than this : Either the Dreyfus case will be settled in accordance with justice and equity, and the Republic thereby consolidated both within and without ; or else the authorities will persist in following the dangerous path in which they have entered, in which case, through their efforts to suppress truth by violence, they will deal a deadly blow to the Republic, or perhaps to the country. It is necessary to make a definite choice, for there is no possible middle course.”

Now listen to the testimony of M. Georges Clemenceau, as given in a remarkable paper entitled

* For an absolute confirmation of this statement. see the articles published during the period of the Dreyfus controversy by the *Gaulois*, the *Patrie*, the *Petit Journal*, the *Echo de Paris*, the *Libre Parole*, the *Intransigeant*, the *Eclair*, the *Jour*, and other papers.

"*Ils ne sont pas assez!*" published in the *Aurore* for June 11th, 1898. M. Clemenceau, one of the little group of able and honest Frenchmen who were fighting passionately in the year 1898 for the true honour of France, was wounded to the soul, as every lover of France was wounded, at finding Mr. Swinburne's "serene Republic of a world made white" serenely violating its own laws upon every possible occasion, and preparing to make the world red with the blood of massacred heretics. M. Clemenceau, like every lover of France, was filled with contemptuous amazement at seeing Esterhazy the traitor practically acting as President of the Republic, with Drumont the Jew-exterminator officiating as his private secretary,—and moreover, in his own name, dictating to M. Milliard, the Minister of Justice (!) the terms upon which his, Drumont's, friends, Max Régis * and the gang of Algerian agitators, were to be publicly pardoned for all past (and future) offences.

But let M. Clemenceau speak for himself. With regret I translate the words of the great Frenchman, for something of their force and ironical intensity is

* The worthy gentleman who, at the meeting of antisemites at the *Salle Chayné*, said :

"Yes we did empty a safe, but we did not steal anything, we only threw all the money into the sea ! ... yes, at a bank, I did possess myself of the whole pile of notes and bills, but I said to our friends : 'Citizens, do you think that we ought to return this property to the Jew from whom we have removed it ?' They answered, 'No,' and in their presence I tore up all the papers.

"*We are determined to take no rest till we have watered the tree of Liberty with the blood of the last Jew !*"

It was to the speaker of such words as these that poor M. Milliard, the Minister of Justice—who evidently dreaded Drumont, the Jew-exterminator as much as did the nervous Bishop of Amiens—felt compelled on June 8th, 1898, to lend the cloak of his kindly patronage.

inevitably lost through the rendering into another tongue.

"I said to the military judge :

'You have passed sentence upon a man in violation of the law.'

"The military judge made answer : 'Our justice is not the same as yours.' *

"I said to the military judge : 'There are the strongest possible presumptions of the innocence of the man whom you have condemned.'

"The military judge replied : 'I am in possession of the proofs of his guilt. I have not shown them to the condemned man. I shall not show them to anyone—except to persons who will agree beforehand to accept them. And when other people ask to see them, I shall say that to make them public would mean the ruin of France.'

"I said to the military judge : 'Here is a man who says that you have given judgment in obedience to orders, as was done the other day at the trial of the Malgache ministers, when the text of the sentence and the account of the execution were sent to the *Journal Officiel* the day before the meeting of the Court Martial.'

"The military judge answered : 'I do not trouble myself about stories of that kind. We act, but we do not want our actions talked about. That *par ordre* is an insult to six officers, therefore to the whole army, therefore to France, for I am France. Away with that man !'

"I said to the military judge : 'Here is a rascal most strongly suspected of having committed the

* These very words were used by Commandant Ravary at Zola's first trial.

crime for which another is suffering punishment, and who, moreover, has written letters containing the grossest possible insults to France and to the army. He is an officer, wearing the Cross of the Legion of Honour.'

"The military judge responded: 'I acquit him for the sake of good luck, and, although his own writings prove him to be a blackguard, he shall retain his epaulettes and his cross "for the honour of the army."' "

"I said to the civil judge: 'Save me from this warrior who knows no law but that of his sword. He brings me before you, alleging that I insult him, and pretends not to understand that the reason of the accusation I have brought against him is that I hold him to be obstinately persisting in maintaining a judicial mistake. With your leave, I will produce the proofs of what I say.'

"The civil judge replied: 'I have no desire to see your proofs. Your questions will not be put to the witnesses.'

"I said to the jury: 'I call you to witness the violence which is being done to me.'

"The jury answered: 'You will have to suffer worse violence at our hands.'

"I said to the press: 'You ought to speak up for me. All I ask for is justice for everybody.'

"The press replied: 'We are bound to respect the prejudices of our readers. Besides, the Minister of War is very generous, and, as for you, you have been bribed.'

"I said to the President of the Republic: 'You are above parties. Surely you will not allow these

people to unite to kill a defenceless man, in the name of falsely alleged "reasons of State."

"The President of the Republic made answer : 'Have you seen me in front of the troops on my mare Mariquita? People say that from a distance I have a certain look of Louis Philippe. Others say that I resemble Napoleon.'

"I said to the Ministers : 'You count for nothing without the ideas of right and of justice which it is your mission to put into application. Why do you shamelessly violate every principle which it is your bounden duty to respect?'

"The Ministers made answer to me : 'What on earth does it matter, so long as we remain in power!'

"I said to the Parliament : 'Come to the assistance of justice suffering oppression, you who are the representatives of the French nation, and who placard our walls with laws that proclaim equality and brotherhood!'

"The Parliament replied : 'The elections are close at hand. What we want to know is which among us will be deputy, minister, distributor of fat livings to the hungry little ones of the governing classes. Our very first duty is not to lose a single vote. Who cares a straw for your convict? What are naked justice and truth worth, when it comes to be a question of counting up votes? I shall always maintain that you are a traitor. I feel quite certain of it. We shall see how you will get out of that.'

"I said to the politicians : 'You are the leaders of the people. Instruct them. Show them that the cause of one is the cause of all. Tell them that their true interest is bound up with respect for right, and with the impartial performance of justice.'

"The politicians answered: 'The people are thinking about very different matters. First of all, they have to live by their work, or die of it. And then we only deal with the committees. What does it matter to the committees whether one man more or less is in penal servitude?'

"I said to the candidates for election: 'What will you do, if I prove to you that he is innocent?'

"One of the notable candidates* of our City of Light made answer: 'Innocent or guilty, I wish that man to be punished!' Whereupon the candidate was instantly elected.

"I said to the people: 'Too many of those whose duty it is to uplift you, degrade you. There are so-called friends of the people who use the people for their own purposes. Defend yourselves, and be sure that you can find no better succour than the right of each and all to equal justice.'

"The people answered me: 'What is that to us? We are those who always suffer. There is no such thing as justice for us. What does it matter to us whether other people get it?'

"I said to the leading members of the middle classes: 'You hear, the people cannot believe any longer in justice, and it is your fault that they cannot. The masses now only believe in force. Lest you should some day become their victims, set them an example of universal respect for justice, from the most exalted to the humblest person.'

"The leaders of the *bourgeoisie* replied: 'It is not worth while to argue with the rabble. We are the strongest.'

"I said to the great ones among the old nobility : 'What is home, what is country, if home and country fail to extend to each one the protection which is his due? You who boast of having been the defenders of France in the old days, do you not see that she will be destroyed in the midst of all the dissensions which the triumph of iniquity is preparing?'

"The great ones of the nobility answered: 'We are the sons of *émigrés*. Our fathers, a hundred years ago, marched with the Germans against the French nation in revolt.'

"I said to the peasants: 'No evil happens in France which does not react in some way upon you, or your families. Awake to the general interests of the country. For far too long you have been deaf to the appeal of noble sentiments, restricting yourselves to the narrow interests of the moment.'

'The peasants responded: 'Will your Dreyfus send up the price of wheat?'

"I said to the Jews: 'They are assassinating one of your number, because he is of your race and of your religion.'

"M. Klotz, and others as well, answered: 'Patriots before everything, we indignantly condemn the criminal plots of the Dreyfus Syndicate.'

"I said to the Christians: 'Was not love for all men preached to you long ago in Judaea?'

"The Christians replied: 'Death to the Jews!'

"I said to the priests: 'At least protest against these cries of death!'

"The priests answered: 'God will recognize his own.'

“I said to God : ‘They heap insult on you. Reveal yourself.’

“God did not reveal himself.

“Then, repulsed on every side, I none the less realised that not the whole human race, nor even God, had the power to turn the truth into a lie.

“And realising this, my soul was comforted.”

The satire is terrible, but there is not a word of exaggeration in it. What would the author of the *Châtiments*, who, in common with our English poet, hailed the bright face of the young Republic with such a passion of gladness in 1870, have said if he had lived to look upon that Republic’s face in the year 1898—a face now wrinkled, worn, degraded, cunning, with the sweet light of hope and purity banished from it, and the visible imprint upon it of the lust for money and the hatred of truth !

Hear, in conclusion, through the *Gazette de France*, what the actual friends of the authorities thought of the condition of the Republic in June, 1898 :

“Dans la plupart des circonscriptions, le suffrage universel a été plus ou moins—plutôt plus que moins—volé.

“Et on ose prétendre que la Chambre républicaine est l’expression de la volonté nationale !

“Allons donc ! elle est le produit de la fraude et aussi de l’intimidation et de la corruption.

“A la République des voleurs, il fallait la Chambre des fraudeurs.

“Elle l’a.” *

XLIV.

AT LAST !

ON June 16th,—the very day on which M. Zola's appeal against the competence of the Versailles Court was heard and rejected by the Court of Cassation—came the news of the downfall of the Méline Ministry. At last, after remaining in office for two years and two months,* it had succumbed beneath the weight of its own wrongdoings and all in whom, I will not say the belief, but the slightest shadow of a hope in justice still remained, rejoiced with a great rejoicing. It was true that in this interesting world there are always any number of persons found ready and delighted to take up shameful and degrading tasks,—when they see a chance of thereby deriving personal profit. The next Ministry might be as bad as the preceding. The next Prime Minister might equivocate as ably as M. Méline, the next Minister of War might treat truth with the same military abruptness as General Billot, and the next Minister of Justice might display a contempt for justice as brazen and unflinching as M. Milliard. None the less, people felt that even if the new Ministry was no better than the preceding, it was quite impossible that it could be worse. It was just possible that it might be a shade better. So, when at last the time came for “burying the defunct

* M. Méline's Ministry thus beat the record of French Republican Administrations, which had previously been topped by M. Jules Ferry's Government.

Ministry in the big Turnip Field"—to use M. Henri Rochefort's elegant metaphor—there was a very general sense of relief.

M. Méline's last frantic effort to retain power by inducing the members of the Extreme Right to support for his sake a resolution which practically stultified their very existence as an independent political body, was worthy of the man who throughout the Dreyfus controversy had proved himself to be a master in the science of chicanery and the art of *équivoque*. Fortunately, the only result was the complete discrediting both of M. Méline and his dishonest Monarchist allies; who actually, in order to save him, supported a vote of confidence containing an amendment to the effect that no Ministry ought to remain in power unless "resting exclusively upon a Republican majority," * and, in so voting, made plain to all men how thoroughly they understood that the Cabinet of M. Méline was not in fact a genuine Republican Cabinet at all. The avowed enemies of the Republic regarded that Cabinet as worth preserving at any cost, because they knew that it was itself secretly hostile to the Republic.

However the exposure was so complete that even the momentary victory by twelve votes which M. Méline gained by the ingenious device of adopting the amendment as to the Republican majority, which he had previously opposed, when intercalated in the general Vote of Confidence, obtained for him nothing more than a few hours' respite. The doom of his

* "Résolue à ne soutenir qu'un ministère s'appuyant exclusivement sur une majorité républicaine." Amendment proposed by MM. Henri Ricard and Bourgeois (Jura), and carried by a majority of 49.

Ministry was sealed. He soon realised that his position, in face of the 295 votes which had been given in support of the resolution of MM. Ricard and Bourgeois, was untenable and he resigned.

But, as the Ministry of M. Méline passed into the darkness, it left behind it a legacy of painful memories. History will record that, under the leadership of M. Méline, the French Government performed, or suffered to be performed, more perfectly mean and ignoble actions than have ever, perhaps, been crowded into the space of two years by any Government. Under the leadership of M. Méline, the French Government acquitted Esterhazy by means of a sham trial and a document known to be forged; cashiered Colonel Picquart, the single French officer who had ventured to speak the truth; allowed General de Boisdeffre and General de Pellieux insolently to defy the law and threaten the jury in the Assize Court of the Seine, permitted them to procure M. Zola's condemnation by the unblushing production of the same known forgery,—and suffered Commandant Pauffin de Saint-Morel, by order of the Chief of the General Staff, to confide the honour of the French Army and the defence of the military tribunals to M. Henri Rochefort.

Under the leadership of M. Méline, the French Government permitted M. Cambon to lend his support to the antisemitic movement in Algeria; allowed Jews to be murdered and their property stolen without prosecuting the principal perpetrators of the crimes; and winked at the arrangement made between Drumont the Jew-exterminator and the

Minister of Justice for the summary dismissal from their posts of all the Algerian judges and magistrates who were still conscientiously endeavouring to discharge their duty.

Under the leadership of M. Méline, the French Government assured the "intellectuals"—that is to say, all the thoughtful and critical *élite* of France—of its complete contempt for them, and resorted to the most ignominious legal subterfuges * in order to obtain a conviction against M. Zola, without allowing him the opportunity of producing his witnesses and thereby proving his case.

Under the leadership of M. Méline, the French Government permitted the most indecent and cowardly attacks to be made in such papers as the *Petit Journal*, the *Libre Parole*, the *Echo de Paris*, and the *Intransigeant*, upon those who were bravely struggling in the cause of justice,—without the shadow of an honest attempt to discover and punish the authors of proved falsehoods and atrocious calumnies.

Under the leadership of M. Méline, the French Government delivered over the Courts of Justice to a howling mob of Antisemites and neo-Boulangists, and suffered them, without let or hindrance, to assault honest citizens and to shout: "Long live Esterhazy!" and "Death to the Jews!"

Under the leadership of M. Méline, the French Government ignobly placed the Republican party at the service of the Bonapartists and the Royalists.

Under the leadership of M. Méline, the French Government so carried on political affairs that, if its

* See Section XVIII, entitled "Perfect Ignominy."

existence had been prolonged, France would have been entirely in the hands of two parties ; one led by the Antisemites and the Boulangists, the other by the Socialists.

Under the leadership of M. Méline, the French Government, for transparently selfish and egotistic motives, deliberately and repeatedly refused to revise the sentence upon Captain Dreyfus, though it had been clearly proved that, owing to the production at his trial of evidence not submitted to the accused man or his counsel, the judgment was wholly illegal; and though circumstances had been proved, tending to show that there were strong presumptions in favour of his complete innocence.

Under the leadership of M. Méline, the French Government while protesting that it was "engaged in defending the honour of France abroad," * succeeded, on the contrary, in arousing among educated and thoughtful persons, throughout the entire civilised world, a feeling of profound sorrow and indignation.

The Méline Ministry had been given one of the greatest chances ever given to any group of influential men, and had wilfully thrown that chance away. They entered into power amid honest congratulations and welcomed by many hopes. They passed from power amid a peal of contemptuous laughter, the objects of righteous anger and well merited hate.

*"Ce que nous défendons, c'est le bon renom de la France à l'étranger."
(Speech by M. Méline, Jan. 29th, 1898).

XLV.

OXFORD SPEAKS.

In the June number of our "National Review" an article appeared entitled "The truth about Dreyfus," and signed "Huguenot." This article was destined to exercise a remarkable influence upon events. In it were found the following notable passages :

"The affection of the French for their Army is as ardent and romantic as that of a woman for her lover. But what if by a sudden revelation it were brought home to the masses, who now parade the streets, crying : '*Vive l'Armée, mort aux Juifs !*' that their confidence has been betrayed, that the swaggering officers whom they cheered so madly at the trial of M. Zola are the real traitors to France, and that Dreyfus is the victim of their base conspiracy? For the Emperor William holds in his hands a weapon with which, when the occasion arises, he can smite the entire *Etat-Major* and destroy the confidence of the French people in their Army for at least a generation. The series of secret documents sold by Esterhazy does not stop in October, 1894, the date of Dreyfus' arrest, but extends on into the year 1896. It included many important documents of later origin than October, 1894, all in the handwriting of the *bordereau*. Dreyfus cannot have written these, for he was already in prison...

"Now the Emperor William, by communicating to the French or European Press in facsimile any one of these documents of origin later than 1894, can, whenever he likes, tear across the web of lies with which the French War Office is now striving to hide its misdeeds. Perhaps the dénoûment will come in this way; for the Emperor has, it appears, already authorized Schwartzkoppen, at the close of last year, to communicate to Count Casella, for publication in the *Siècle*, on April 8th last, many hints of the truth. ... How long will it be before William II. draws tight the noose into which all the leading French generals and colonels and nearly all the leading politicians of every party, save the Socialists, have so obligingly adjusted their necks?

"Happy for the French if, without such intervention, they can recover their own self-respect and the regard of the civilized world which they have justly lost...

"The judges of the Court of Cassation have already, in the decree which annulled Zola's first trial, gone out of their way to intimate that they will also annul the illegally obtained sentence on Dreyfus whenever they can get an opportunity. So there is still some hope for France. This Higher Court keeps the conscience of France alive; and every real friend of France hopes that the day will soon come when its voice and authority will be asserted, and the country forced to awake to the sense of right, throwing off the horrible *cauchemar* of crime which now broods over it."

These passages, slightly toned down, were quoted by M. Joseph Reinach, in an article entitled "Les

Enseignements de l'Histoire," published in the *Siècle* of June 4th, 1898. M. Reinach recalled to the memory of Frenchmen the trick which Bismarck played Count Benedetti, the French ambassador at Berlin, on the eve of the Franco-German war of 1870, by publishing to the whole world a facsimile of the secret document in Benedetti's handwriting, in which the French Emperor made his disgraceful proposal that, in return for his recognition of the rights which Germany had acquired by successful warfare, Germany should render him armed assistance in the conquest of Belgium. M. Reinach then went on to say :

"In every age, among all nations, in all armies, even the bravest and the best disciplined, there have been wretches who have made a trade of selling secret documents. But these papers, which are at Berlin, are the absolute, undeniable proof that an innocent person is expiating the crime of another—and that this other person is being protected, in the teeth of the evidence, by those whom he has had the atrocious audacity to designate as 'his peers.'

"The condemned man was condemned by his judges in good faith—I say so and think so—and I should not myself have written of those who acquitted the other that they acquitted him 'by order.' Not being romantic like the illustrious poet of *Germinal*, I should have written, in the old classical style, 'as if by order.' With this little addition, the expression would have contained the complete and incontestable truth. None the less, it is the fact that the man of whom Colonel Schwartzkoppen said to Colonel Panizzardi : 'That's my man!' is the very same

person whose acquittal General de Pellieux congratulated himself on having obtained, the very person against whom General Billot, the Minister of War, did not dare to take action, even after the admission of the letters to Madame de Boulancy, and the very person with whom the officers of the General Staff, who gave evidence at the Assize Court, were condemned, by order this time, to shake hands.

“Then, some day or other, perhaps to-morrow—*Di! tale avertite*...—suppose that a war breaks out between France and Germany. These papers have been photographed, just as was done in the case of M. Benedetti's note upon Belgium. Facsimiles of them appear in all the newspapers. Some successor of Bismarck appends them to a diplomatic circular. And there, before the whole world, accused of imposture and of felony, or at the very least convicted of the most inexcusable bungling, will stand the commanders of the very army which is just starting for battle!”

These words of M. Joseph Reinach's were absolutely true, and were spoken in the highest interests of France. But to speak true words from faithful love of France was a dangerous thing for a Frenchman to do in the month of June, 1898. It was especially dangerous in the case of M. Joseph Reinach, as the military authorities had a certain hold upon him, owing to the fact of his being still attached, as an officer of cavalry, to the reserve forces—which constitute what is called the territorial army of France. M. Henri Castelin again came to the front, and frightened General Billot into hysterics

by announcing a new interpellation of the Government, on the subject of M. Joseph Reinach's article in the *Siècle* and quotations from the "National Review"

M. Henri Castelin gave warning in the *Jour*, an official organ of Esterhazy's, that he intended to query as follows :

"Est-ce que ces gens-là ne sont pas coupables de haute trahison ?

"Est-ce que le gouvernement va demeurer éternellement dans une réserve qui devient de la complicité ?

"Est-il sourd, aveugle ? qu'attend-il ?"

Poor General Billot ! It was clearly necessary that, by some immediate measure of exceptional vigour, he should prove to MM. Castelin, Rochefort, and Drumont that he was neither "deaf" nor "blind," and that he was only "waiting" for the fiery blast of Castelin's penny trumpet. He therefore decided to fling Reinach to Castelin as a victim, in hopes that, at the eleventh hour (the Méline Ministry was just breaking up, but had not, at that particular moment, quite collapsed) he might, by this nobly patriotic action, succeed in retaining his portfolio. It should be mentioned that the journals subsidized by the French War Office, with their usual brazen contempt for truth, had announced that M. Joseph Reinach was the author of the article in the English "National Review," and that he, Reinach, was enjoying the personal friendship and patronage of General Billot. That was quite enough. Billot trembled, and knew that Reinach must now be sacrificed. He accordingly once more acted with heroic determination in the cause of untruth—or,

which comes to precisely the same thing, in the cause of Esterhazy (1), Drumont (2), Rochefort (3), Judet (4), Pellieux (5), Boisdeffre (6), Gonse (7), Mercier (8), Billot himself (9), Méline (10), Milliard (11), Dupuy (12), Darlan (13), Hanotaux (14), Delegorgue (15), Périvier (16), Van Cassel (17), Bertrand (18), Du Paty de Clam (19), Henry (20), Bertillon (21), Teysssonnière (22), Belhomme (23), Couard (24), Varinard (25), and Félix Faure (26).*

In the cause of all these worthy gentlemen, now notorious every one of them, throughout the civilized world, for their love of untruth and their hatred of justice, General Billot resolved to bring M. Joseph Reinach—as he could not bring the author of the article in the “National Review”—before a military *conseil d'enquête*.

M. Rochefort thanked General Billot for his friend-

* 1. Spy in the pay of Germany.

2. Jew-extermimator, principal agent of the Jesuits, and editor of the *Libre Parole*.

3. Editor of the *Intransigeant*, specially retained by General de Boisdeffre's *chef de cabinet*, Commandant Pauffin de Saint-Morel, as liar-in-chief to the General Staff.

4. Esterhazist writer in the *Petit Journal*, calumniator of Zola's father and defender of “the honour of the army.”

5. General who presided over the acquittal of Esterhazy the spy, and produced Colonel Henry's forgery at Zola's trial, as “an absolute proof” of the guilt of Captain Dreyfus.

6. Chief of the General Staff, and devout Catholic.

7. Sub-chief of the General Staff, once an artillery officer, but completely ignorant (he stated) of all questions relating to artillery.

8. Minister of War who obtained the conviction of Captain Dreyfus by producing a falsified document behind his back.

9. Subsequent Minister of War who, on at least four separate occasions, solemnly affirmed to the Chamber that the above conviction was “*just and legal*.”

10. Prime Minister at the time of Zola's first trial.

11. Minister of Justice at the time of Zola's first trial.

12. Prime Minister at the time of Dreyfus' trial.

13. Minister of Justice at the time of Dreyfus' trial.

ly kindness by stating that, though he was glad that proceedings against M. Joseph Reinach had at length been taken, he could not consider that this late move in the right direction atoned for all General Billot's previous weakness and procrastination.

M. Drumont thanked General Billot by saying: "Even the worst rascals sometimes perform good actions on their death-beds."

But the *Soir* was deeply touched, and pointed out that this was the seventh noble action which General Billot had performed during his Ministry, in the cause of untruth and the dishonour of France—I beg pardon, in the cause of Esterhazy, etc. and "the honour of the army."

It is worth while pointing out what the other six noble actions of General Billot's were, according to the *Soir*. I give the list of them *verbatim* from the

14. Minister of Foreign Affairs at the time of Zola's first trial, and also at the time of Dreyfus' trial.

15. Judge at Zola's first trial.

16. Judge at Zola's second trial.

17. Representative of the Government at Zola's first trial.

18. Representative of the Government at Zola's second trial, and violator of the law (as the Court of Cassation decided) for the express purpose of saving Cavaignac's cousin, the forger.

19. Cousin of M. Cavaignac, chief official agent in the conspiracy of Esterhazy and the French War Office against Captain Dreyfus, forger of the *Blanche* telegram (as Judge Bertulus decided), and assistant forger of the *Speranza* letter, and the *Speranza* telegram (as Judge Bertulus decided).

20. Assistant of the former, chief official agent in the conspiracy of Esterhazy and the French War Office against Lieutenant-Colonel Picquart, and forger-in-chief to the War Office.

21. Government expert at Dreyfus' trial, and inventor of the celebrated *Schema*.

22. Government expert at Dreyfus' trial; subsequently "struck off the rolls."

23. Government expert at Esterhazy's mock trial.

24. Government expert at Esterhazy's mock trial.

25. Government expert at Esterhazy's mock trial.

26. President of the French Republic—and intimate friend, or unblushing supporter, of all the above.

Soir of June 25th, 1898. I leave the criticism of their moral worth to the reader—and history.

“1. General Billot declared publicly in the tribune that the revision demanded by the friends of the traitor [Dreyfus] should never take place while he was Minister of War.

“2. General Billot made an accusation against Emile Zola, who was accordingly brought before the Court of Assizes.

“3. General Billot placed a demand for the removal of the Cross from Emile Zola, before the Council of the Order of the Legion of Honour.

“4. General Billot removed M. Grimaux, Professor at the Ecole Polytechnique, from his post, on account of his incorrect attitude during Zola's trial.

“5. General Billot put Lieutenant-Colonel Picquart on the retired list.

“6. General Billot struck M. Joseph Reinach off the list of members of the *Conseil supérieur des Offrandes Nationales*.”

Six noble deeds like these!—and then a seventh, involving the removal of M. Joseph Reinach from his position as captain of cavalry in the reserve forces. And all for the sake of untruth, injustice, a clique of most dishonourable generals and ministers, and the Jesuit section of the Catholic Church. General Billot must be certain of Paradise.

However, General Billot, by his hostile action against a French gentleman who had ventured to speak the truth, and to quote from an English journal for the love of France, greatly promoted the cause of the advocates of the revision of the Dreyfus

judgment. But thanks were most of all due to the Boulangist deputy, M. Castelin, who, by the blast of the aforesaid penny trumpet, had frightened Billot so cruelly. In fact M. Castelin, while acting, throughout the story, from the worst possible motives, had only succeeded in producing the best possible results—which must have been disappointing to him. As the *Siècle* rightly pointed out, if M. Castelin, at the time of the rumoured escape of Dreyfus in September, 1896, had not announced an interpellation to the Government for November 18th, of that year, the *Eclair* would not have published on September 15th, the history of the production of the secret document, thus proclaiming to the whole world the complete illegality of the condemnation of Captain Dreyfus. Neither would the *Matin*, on November 10th, 1896, have published the facsimile of the *bordereau*, thus making plain to the public that this document proceeded from the hand, not of Dreyfus, but of Esterhazy. Lastly, had not the shriek of Castelin's trumpet terrified Billot into prosecuting M. Reinach, the terrible letter from Oxford which sealed Esterhazy's doom before the bar of the world's educated opinion, would not have been written.

This letter, which I will presently quote, came to be written as follows. I have already said that the journals subsidized by the French War Office, with their usual brazen contempt for truth, had given out that M. Joseph Reinach was the author of the article in the English "National Review," which was signed by the *nom de plume* of "Huguenot." When M. Reinach was arraigned, at the wish of M. Dru-

mont and M. Castelin, and by the order of General Billot, before the *Military Conseil d'enquête* presided over by General Kirchener, it of course became necessary for the English gentleman who had written the article in the "National Review" to come forward and avow its authorship. This he at once did, by means of the following letter, which was received by M. Joseph Reinach just before his appearance before the Court of Enquiry which was to be held at the *Ecole Militaire*.

"Oxford, June 23rd.

"Sir,

"I learn through the newspapers that you are suspected in Paris of being the author of the article which I published in the June number of the 'National Review,' and some passages of which you translated in the *Siècle*.

"I have not the pleasure of knowing you ; but I consider it my duty, as a gentleman, hereby to affirm that I am the sole author of the article in the 'National Review.' I am a friend of France, I have always desired her prosperity and greatness, and it is for this reason that I have thought it well to publish the information, on the subject of the Dreyfus affair, which I have obtained from the surest and most reliable sources.

"No official denial will be given to the statements which I have made on the most incontestable authority.

"I am thus assured that Colonel Schwartzkoppen will not deny that he was in the habit of giving a monthly

payment of two thousand francs to his habitual informant, Commandant Esterhazy.

"I affirm to you that the French War Office is in danger of seeing published in foreign papers facsimiles of documents which have been sold by Esterhazy to Colonel Schwartzkoppen, and which are all written in Esterhazy's hand.

"I affirm to you that this very thing as nearly as possible happened in the month of February last, and that the sword of Damocles is always suspended over the head of the War Office.

"Sincerely attached as I am to France, I pray to God that the officers of the General Staff may take wise action while there is still time, and may exhibit those qualities of justice and of courage which have always eminently distinguished the French army.

"I authorise you to publish this letter in the papers, and to lay it before the judges at the Military Council.

"I am, Sir, your obedient Servant,

"FREDERICK CORNWALLIS CONYBEARE,
of the University of Oxford."

So, after all, the clearest and most decisive testimony in the matter, and the sternest protest in the name of truth against the repeated lies whereby French generals and ministers were dishonouring France, came from England. To all who know the

quiet leafy beauty of Oxford in the month of June, to all who love the grey cloisters, the winding silvery river, the flower-starred meadows, there was something strange and even solemn in the voice of truth, the message of honest protest, thus sounding across from the calm of Oxford to the turmoil of Paris.

Professor Conybeare, late fellow of University College, Oxford, is the son-in-law of the great Max Müller, and through his German connections had had exceptional opportunities of learning the truth at first-hand. He himself, as a distinguished writer in the sphere of religious history, and a recognised authority on subjects relating to Armenia,* belonged to the class of *intellectuels*; the despised *intellectuels* who were fighting so bravely and untiringly, throughout the world, against a French military *clique*, for the honour of France.

What was the reply of the French army and its defenders to Mr. Conybeare's letter, full of love of truth and love of France, when it was read out to them by M. Joseph Reinach at the military Court of Enquiry?

The judges unanimously decided that M. Joseph Reinach should be degraded from his rank of captain.

M. Rochefort, to whom the defence of the honour of the French Army had been specially confided by General de Boisdeffre, stated in the *Intransigeant* that Mr. Conybeare was a "*pet-de-loup anglais*,"

* Mr. Conybeare has published a remarkable edition of a treatise of Philo, made important contributions to the text of the "Acts of the Apostles" and of St. Athanasius, studied the Armenian versions of Plato, Aristotle and Eusebius, and made known a number of unpublished Armenian writings dating from the earliest ages of Christianity.

and an "Oxford usher." These epithets merely prove M. Henri Rochefort to be a more profoundly vulgar and ignorant man than even I had previously imagined.

One of the officers who had assisted at the Court of Enquiry "unbuttoned himself" *à la Pellieux* to M. Meyer, of the *Gaulois*, to the following effect:

"Nous en avons assez, l'armée en a assez. Nous sommes arrivés à l'extrême limite de la patience."

And then he went on to say that the exasperated army was on the point of giving the most startling proof of its good faith and of its devotion, "*en jetant à la face des misérables le dossier, le fameux dossier de l'affaire Dreyfus*"—the very thing which the *misérables*, that is, all honest and cultivated persons, had been for many months vainly imploring the French War Office to do.

That was the answer of the French authorities, who were for the moment in power, to the truth fearlessly spoken by an English writer, but not, thank God! the answer of France.

XLVI.

ESTERHAZY THE NOVELIST.

At the end of June, 1898, Esterhazy again came forward in his quality of romancer, and—no doubt deeming it necessary that some kind of reply should be made to the terribly explicit charges brought against him in Mr. Conybeare's letter to M. Joseph Reinach—communicated the following pretty little narrative to the *Petit Marseillais*. We are fully justified in assuming that the story came from Commandant Esterhazy himself, or from his immediate *entourage*, for the *Petit Marseillais* stated that the communication was sent from Paris, and that its anonymous correspondent told the editor of the paper that he had received his information from some one who "tient de très près à l'Etat-Major." Now, as we know, the French War Office had for a long time been going out of its way to establish its absolute oneness with Esterhazy the traitor.

The narrative was to the following effect. Esterhazy, while attached to the Intelligence Department, one day conceived the happy thought of "feigning treason, in order to be able more readily to acquaint himself with the secrets of neighbouring Powers." He confided his project to General Mercier, who encouraged him in the idea, and gave him "a certificate stating that he had become a spy in the service of...[say Germany] in order that he might the

better promote the interests of France." It was this certificate, on which his safety depended, which, later on, he took to England with him, and which was brought back to him by the *dame voilée*.

Thus assured of the protection of his chiefs, he became the reckless and worthless rascal whom everybody knows. Then he entered into intimate relations with his unfortunate cousin, Madame de Boulancy, who was "suspected of being on very good terms with one of the foreign Embassies." Esterhazy borrowed money of this lady, and, in order to win her entire confidence, he wrote her the series of letters in which the notorious "Uhlan" letter is included. Madame de Boulancy at last became thoroughly satisfied that Esterhazy was a genuine hater of France, and a perfectly trustworthy traitor. She therefore had no longer any hesitation in presenting him at the German Embassy, where he took up the task assigned to him by General Mercier—that of luring secrets out of Germany by pretending to betray France.

Unfortunately for Esterhazy this interesting narrative will not bear criticism. The letters he wrote to his cousin date from the year 1882. General Mercier was not Minister of War until many years later.

Moreover, if Esterhazy's "safety depended" on the alleged "certificate" so thoughtfully provided for him by General Mercier, why in the world did he ever part with it? Why did it become necessary that it should be restored to him by a "veiled lady?"

But these are questions of the kind which the silly *intellectuels* waste so much time in asking! We

know that the French War Office is never weak enough to be arrested by any mere critical difficulty.

To continue the narrative of the *Petit Marseillais*. The incident of the *bordereau* is explained, and all difficulty removed, as follows. One day, in a visit to the German Embassy, Esterhazy discovered this document. "Greatly moved, he took it away, rapidly copied it, restored it to its place, and ran with his copy to the War Office... It is this copy which was put before the Court Martial which tried Dreyfus: the original always remaining in the hands of the foreign military attaché."

So the document submitted to the experts by the judges sitting at the Court Martial of 1894, was not the original of the *bordereau*, but a simple copy proceeding from the hand of Esterhazy! And General Mercier knew this, and yet permitted Captain Dreyfus to be condemned on the evidence of the *bordereau*—as the actual undoubted writer of it! What a frightful web of treachery and deceit! Nothing can more clearly show the straits to which Esterhazy and his defenders at the French War Office were reduced by the end of June, 1898, than this narrative; containing, be it remembered, the *best* that their supporters could say, or invent, for Esterhazy and Mercier.

Indeed, it now began to appear pretty evident, that the facts brought out by Colonel Schwartzkoppen, speaking through Casella, Panizzardi, and Conybeare, contained the true key to the mystery. These, at any rate, seemed certain and proveable, while all else was vague. The story told by the

Petit Marseillais was certainly pure invention, an invention of Esterhazy or his friends. And the story told a few weeks previously by the *Deutsche Rundschau* (see Section XL), was probably equally unfounded. Esterhazy, after all, was no Government *contre-espion*, serving France occultly by publicly betraying, or appearing to betray her. The romance of the story did not extend so far as that. Esterhazy had failed as a novelist, and so also had his very dear and attached friend, General de Pellieux: "Butchery Pellieux."

The simple *exposé* of the facts by Mr. Conybeare's authorised letter to M. Joseph Reinach—an exposure absolutely uncontradicted by the German Emperor—had at last set the matter on a sound critical footing. Esterhazy was simply a commonplace spy of the lowest order, bribed by Colonel Schwartzkoppen at the rate of two thousand francs a month to betray the country whose uniform he wore. The Cross of the Legion of Honour on his breast, a French officer's epaulettes on his shoulders, the bitterest hatred against France in his heart, and German money in his pocket—that was Esterhazy.

And the extent to which this fact was now beginning, even in France, to be widely recognised, was made plain by the following utterance of our old friend M. Paul de Cassagnac,* in his journal, *l'Autorité*. Referring to M. Déroulède's exaltation of M. Cavaignac, the new Minister of War, above M. Brisson, the new Prime Minister, M. de Cassagnac wrote:

"Ils font à M. Cavaignac un piédestal qui le gênera

* See Sections VII. and VIII.

bien, quand prochainement il en devra descendre. En effet, et nous le savons de source sûre—on le verra d'ailleurs—M. Cavaignac n'a aucun moyen, aucun, de diriger l'affaire Dreyfus, soit en avant, soit en arrière. *Il n'est pas exact qu'il puisse trouver au ministère de la guerre une pièce quelconque, probante et décisive : en dehors de ce que chacun connaît."*

What a confession to have to make—after so many years of reckless declamation on the part of the French War Office, and organised falsehood on the part of the papers paid to defend it! No document in their "dossier"—the very "dossier" which the officer who assisted at M. Joseph Reinach's trial just now threatened to fling at the heads of the *misérables*—no document, after all, to be found there more *probante*, more *décisive*, than the wretched forgery which "Butchery Pellieux" brandished in the faces of the terror-stricken jury of the Seine! Nothing more condemnatory of Dreyfus than a paper now known to be written by someone else! Nothing more conclusive than a document brought to the War Office some eight or ten months before Dreyfus was accused; a document which proved, not the treason of Dreyfus, but the unspeakably contemptible treachery of General Mercier, in that he had written, or allowed to be written, the full name of *Dreyfus*, though perfectly aware that the original copy, which he was holding, could not possibly refer to Dreyfus and contained only the initial D...!

Well, the ground seemed now fairly cleared. The old Ministry was out of office. M. Ribot, M. Sarrien, and M. Peytral had successively been charged

by the President of the Republic with the task of forming a new Ministry ; and had successively failed. M. Brisson had at last succeeded, and, with his access to power, had come into possession of an opportunity such as has been placed at the disposal of few ministers or monarchs in history. What would he do with it ? Would he have the courage and the genius to make good the words used by himself in his ministerial declaration : “ Nous sommes résolus à défendre énergiquement contre toute tentative d’empiètements l’indépendance de la société laïque et la suprématie du pouvoir civil ? ” Or would he, like so many of his predecessors, quail before the threatening attitude of a War Office which, ever since the discovery of the spy Esterhazy by Colonel Picquart in 1896, had deliberately determined that the spy should be represented as a hero, that the lovers of justice should be held up to public execration as bribed enemies of their country, and that the truth should be represented as a lie ? Would he, by delivering the country from the nightmare which had so long been oppressing her, earn the title of one of the greatest benefactors of the Republic and of France ? Or would he, at the first howl from Drumont or Rochefort, at the first crack of Cavaignac’s whip, at the first blast of Castelin’s penny trumpet, shrink back terrified into his kennel, and curl himself up upon the dirty straw left therein by Méline ?

The moment had arrived, and hung poised and doubtful. All men interested—that is, all lovers of truth and justice throughout the world—held their breath, and waited.

XLVII.

CAVAIGNAC THE INTREPID.

THE answer came.

On Thursday, the 7th of July, 1898, in reply to the interpellation of our old friend, M. Castelin, on the Dreyfus affair, M. Godefroy Cavaignac, the new Minister of War, mounted to the tribune. It is not too much to say that all the world was waiting and hoping for some frank and honest statement which might appease the public conscience and tend towards the salvation of France. Instead of this, M. Godefroy Cavaignac, from the tribune of the Palais Bourbon, on July 7th, 1898—a date which will always be a marked one in history—delivered a series of the most shamelessly dishonest utterances ever pronounced by any responsible Minister.

M. Cavaignac began by saying that during the six years preceding the date at which he was speaking “more than a thousand” documents relating to affairs of *espionnage* had been received at the Ministry of War. M. Cavaignac stated—without a blush—that every one of these “thousand” documents (brought to the War Office, be it remembered, by police spies and paid scoundrels of every description) was, beyond question, absolutely genuine and authentic!

After such an opinion as that, emphatically delivered from the tribune of the French Chamber by the Minister of War, there is little more to be said.

No wonder that all critics, in France and elsewhere, felt a cold shiver of horror run through them. All who have had, in the most ordinary business matters, any experience of the extreme difficulty of vouching even the simplest accounts, or of proving the reliability of even the most commonplace documents, will know that a man who comes forward and deliberately guarantees the entire authenticity of "a thousand documents," collected over a period of six years, and supplied largely by hired police-spies, must be either an idiot, or one of the most brazen liars on the face of the earth. That, M. Cavaignac, is the plain English truth of the matter.

General de Pellieux only ventured to guarantee the absolute authenticity of one document in the Seine Assize Court. But here we have M. Cavaignac calmly affirming the absolute authenticity of a *thousand*: many of which he could certainly, since coming into office only a few days before, never have had the time to read—still less the time to study carefully—still less the time to submit to any process of control or verification!

Did M. Cavaignac suppose that the spirit of criticism had entirely vanished from France? Did he imagine that, where Billot and Méline had failed through over-subtlety of evasion, he could carry the day by astounding and almost incredible impudence?

The net result of M. Cavaignac's speech was to prove to all persons possessed of the slightest critical judgment the absolute innocence of Captain Dreyfus,—and the absolute untruthfulness of M. Cavaignac.

Allow me now to quote M. Cavaignac's exact de-

scription of the so-called proofs, which, as he said, produced in his mind the most absolute conviction of the guilt of Dreyfus.

First of all, as I have been pointing out, M. Cavaignac quietly assumed the authenticity of the whole of the "thousand" documents on *espionnage* which had been deposited at the French War Office during the previous six years. Out of these "thousand" documents he then selected *three*, which he proceeded to read to the Chamber,—proving, by that very action, that General Billot and the preceding ministers had been, as all men guessed, lying for more than three years. For, ever since the condemnation of Captain Dreyfus, the constant cry of the ministry had been: "We dare not read these letters, we dare not make these documents public, as war with Germany will undoubtedly follow!"

Well: M. Cavaignac proved that all these assertions were falsehoods. He read the documents,—and war with Germany did not follow.

The first document bore the date of March, 1894, and was as follows:

"Hier au soir, j'ai fini par faire appeler le médecin. qui m'a défendu de sortir; ne pouvant aller chez vous demain, je vous prie de venir chez moi dans la matinée, car D... m'a porté beaucoup de choses très intéressantes, et il faut partager le travail, ayant seulement dix jours de temps."

The second document was the famous *Ce canaille de D...* paper (see Section XI).

It will be remembered that a falsified version of this letter had been published in the *Eclair* of Sep-

tember 15th, 1896, by Esterhazy's accomplices at the War Office; a version in which the name *Dreyfus* was printed in full. M. Cavaignac read the correct version. These letters, of course, were supposed to have passed between Colonel Schwartzkoppen and Colonel Panizzardi.

The letter was dated April 16th, 1894, and ran :

“ Je regrette bien de ne pas vous avoir vu avant mon départ. Du reste, je serai de retour dans huit jours. Ci-joint douze plans directeurs de ...

(Here followed the name of a French fortress, which M. Cavaignac did not give)

que ce canaille de D... m'a donnés pour vous. Je lui ai dit que vous n'aviez pas l'intention de reprendre les relations. Il prétend qu'il y a eu un malentendu et qu'il ferait tout son possible pour vous satisfaire. Il dit qu'il s'était entêté et que vous ne lui en voulez pas. Je lui ai répondu qu'il était fou et que je ne croyais pas que vous vouliez reprendre les relations avec lui. Faites ce que vous voudrez.”

That these letters referred to Dreyfus, and that they were genuine documents which had passed between two foreign military attachés (that is, Schwartzkoppen and Panizzardi), M. Cavaignac stated that he had not the slightest doubt.

But he did not think it worth while to remind the French deputies of the well-known fact that, when finding it necessary to communicate through the post on affairs of *espionnage* (which rarely happens), military attachés are invariably in the habit of designating the spy they are employing by some other letter of the alphabet than that which commences his actual name. Nor did M. Cavaignac care

to inform the Chamber that Count Tornielli, the Italian Ambassador, had, many months previously, stated to the French Government, through M. Hanotaux, that the person referred to as D... was a civilian, whose name, if necessary, could be disclosed.

Neither did M. Cavaignac draw the attention of the French deputies to the fact that the German and Italian Governments (to both of whom he was giving the lie direct), had repeatedly, in the plainest and most emphatic manner, denied that they had ever, directly or indirectly, been concerned with Captain Dreyfus.

The third document which M. Cavaignac produced and read out to the French deputies as undoubtedly authentic, was the unquestionable and now famous forgery* which General de Pellieux so triumphantly brandished in the faces of the jury at Zola's first trial.

M. Cavaignac gave the text of this astonishing document to history; and for that history owes him a debt of gratitude.

The letter, as we have seen, made its opportune appearance at the French War Office just at the

* I may perhaps be permitted to state that I wrote the above sentence very shortly after M. Cavaignac's speech in the tribune on July 7th, 1898, some weeks *before* M. Cavaignac's so-called "discovery" of the fraud perpetrated by Colonel Henry, and *before* the Italian official journals made the general public aware that the Italian Government had explicitly warned the French Government, antecedently to Zola's first trial, of the true nature of the document.

I merely mention this as an illustration of the fact that every critic, even at the time of Zola's first trial, felt certain, from the description of the document and the conditions relating to its discovery given by General de Pellieux, that it was demonstrably impossible that it could be genuine.

In the same way, the scientific certainty that Esterhazy wrote the *bordereau* was, as a matter of fact, absolutely attained at the date of Zola's first trial.

Author's note.

time of the Castelin interpellation in November, 1896, and was therefore posterior by two years to the condemnation of Captain Dreyfus. M. Cavaignac, for some reason best known to himself, did not mention the accompanying visiting card of a foreign attaché on which General de Pellieux laid such stress at Zola's first trial. M. Cavaignac read out the letter as follows :

“J'ai lu qu'un député va interpellier sur Dreyfus. Si (here came a phrase which M. Cavaignac said it was not safe to read publicly), je dirai que jamais j'avais des relations avec ce juif. C'est entendu. Si on vous demande, dites comme ça, car il faut pas que on sache jamais personne ce qui est arrivé avec lui.”

The French of this is so wholly execrable that I should think not a single member of the now historical 572 deputies who voted for the *affichage* of M. Cavaignac's discourse could for a moment have believed that either of two educated gentlemen, like Colonel Schwartzkoppen and Colonel Panazzardi, wrote such a paper. The French of the two documents of 1894—which are probably genuine, though they do not refer to Dreyfus—is very fairly good.

All critics felt confident that M. Cavaignac's (and General de Pellieux's) “absolute proof” was either written by an uneducated police-spy, or an educated forger who over-did the bad French—and underrated Schwartzkoppen's scholarship !

Nor did it seem to occur to M. Cavaignac that his own words and action—the very fact that he never once alluded to the *bordereau*, which was the only

piece of evidence legally adduced against Dreyfus—provided the very proof of which M. Sarrien, the new Minister of Justice, said that he stood in need, before he could entertain the petition just presented to him by Madame Dreyfus for a fresh trial of her husband, on the ground of his conviction upon documents not shown to the prisoner or his counsel. M. Cavaignac produced and read those very documents. He never once mentioned Esterhazy's *bordereau*; on which, and on which alone, Dreyfus had been ostensibly condemned.

But not a single deputy stood up and asked the simple question: "Were those documents you are reading shown to the judges at the trial of Dreyfus?"

Why did no deputy ask the question which I am thankful to say I am confident would have been instantly asked in the English House of Commons?

Because, had such a question been asked, it must inevitably have been answered in the affirmative—and because an affirmative answer would at once have rendered necessary the revision of the Dreyfus case.

That was why no deputy was found, in the whole French Chamber, possessed of courage and manhood enough to ask the question.

And M. Sarrien, the new Minister of Justice (!), who knew that the documents which his colleague M. Cavaignac was reading in cold blood from the tribune were (with the exception, of course, of the one forged in 1896) the very documents which had been used by General Mercier in the illegal and shameful condemnation of Dreyfus, sat by and held

his tongue; bound over, for the sake of a few months' tenure of power, to ignominious silence and inaction, because a word of honest question, an act of righteous courage, would assuredly have provided him with the proofs which he required in order to give honourable and legal answer to the petition of Madame Dreyfus.

And M. Brisson? M. Brisson with his own hands—as Zola rightly said a few days later—"assassinated the ideal," stultified his whole republican past, and did his better self the deepest and the most abiding dishonour.

I now come to the crowning dishonesty of M. Cavaignac's historic speech; the use he made of Captain Lebrun-Renault's confused and contradictory allegations as to Dreyfus' confession. It will be remembered that witness after witness of unimpeachable worth and probity, had come forward to testify to the fact that Lebrun-Renault had emphatically assured them, or had stated in their presence, that Dreyfus had made no such confession. Commandant Forzinetti, the governor of the Cherche-Midi prison, in which Dreyfus was confined, had undoubtedly been told by Lebrun-Renault that Dreyfus never confessed. M. Charles Dupuy, the prime minister at the time of Dreyfus' trial, certainly received a positive statement to the same effect from Lebrun-Renault. M. Jaurès' testimony is conclusive on this point; though M. Charles Dupuy, infected with ministerial cowardice, afterwards sought to explain away his own perfectly clear affirmations on the matter—and committed the shameful action of

sitting silent while M. Cavaignac was draining away the life-blood of an innocent man,* by affirming that Captain Lebrun-Renault had received a categorical confession which M. Charles Dupuy perfectly well knew that that officer had never received.

M. Cavaignac did not read the paper which he alleged that Lebrun-Renault had written and signed. M. Cavaignac, before he came into office, had clamoured for the production of this document. But, when he became Minister of War, he found that the document had no existence. So he had to content himself with solemnly affirming that it existed; "written and signed," he said, "by Captain Lebrun-Renault." It was afterwards proved that the document in question was a mere hearsay paper, written and signed, not by Lebrun-Renault, in the year 1895, but by Colonel Guérin, of the General Staff, *while Zola's first trial was proceeding in the year 1898!*

What M. Cavaignac did was this. He read from the tribune the following letter, said to have been written in January, 1895,† a few days after the degradation of Dreyfus, by General Gonse to General de Boisdeffre :

"Mon général,

"Je m'empresse de vous rendre compte que j'ai conduit moi-même le capitaine de la garde républicaine Lebrun-Renault chez le ministre de la guerre, qui l'a envoyé, après

* At this point in the narrative, it becomes safe to speak of Captain Dreyfus as not only tried and judged illegally, but as certainly completely innocent. The historic certainty of this was now fixed. It was fixed through the untruths told by M. Cavaignac.

† This letter seems, as a matter of fact, to have been written, falsely dated, and inserted in the *dossier*, at a much later date than the above.

l'avoir entendu, chez le Président. D'une façon générale, la conversation du capitaine Lebrun-Renault avec Dreyfus était surtout un monologue de ce dernier, qui s'est coupé et repris sans cesse. Les points saillants étaient les suivants :

‘ En somme, on n’a pas livré de documents originaux, mais seulement des copies.’

“ Puis, en protestant de son innocence, il a terminé en disant :

‘ Le ministre sait que je suis innocent. Il me l’a fait dire par le commandant du Paty de Clam, dans la prison, il y a trois ou quatre jours, et il sait que si j’ai livré des documents, ce sont des documents sans importance et pour en obtenir d’autres.’

“ Le capitaine a conclu en exprimant l’avis que Dreyfus faisait des demi-aveux mélangés de réticences et de mensonges.”

M. Cavaignac laid great stress on the *si j’ai livré*. He said with plausibility, that he could not imagine it possible that any man would use this expression, if he had *not* “delivered up documents.”

But what M. Cavaignac omitted to point out to the French deputies was that the above paragraph, quoted by General Gonse, had been severed from its context, and so given a wholly unnatural and distorted meaning. The undisputed letter written by Captain Dreyfus to his advocate, Maître Demange, on December 31st, 1894, clearly explained the matter. In this letter Dreyfus said :

“ Le commandant du Paty est venu aujourd’hui lundi 31 décembre 1894, à 5 heures $\frac{1}{2}$ du soir, après le rejet du pourvoir, me demander de la part du ministre si je n’avais pas été peut-être la victime de mon imprudence, si je n’avais pas voulu simplement amorcer..., puis que je me suis trouvé entraîné dans un engrenage fatal.

"Je lui ai répondu que je n'avais jamais eu de relations avec aucun agent ni attaché..., que je ne m'étais livré à aucun amorçage, que j'étais innocent."*

It was thus easy to understand that Dreyfus might have used the *exact* words† which General Gonse quoted, and might yet be absolutely innocent; innocent even of any indiscretion with regard to Russia. For Dreyfus' letter made it evident that the first suggestion of *amorçage*—of imprudent, but not treasonable, "fishing" for information from foreign Powers—came from General Mercier himself. General Mercier was most anxious that a confession should be obtained from the condemned man, and on December 31st, 1894, Colonel—then Commandant—du Paty de Clam endeavoured to elicit from Dreyfus an admission that, at any rate, he had been guilty of some "*imprudence*."

Then, five days after, Captain Lebrun-Renault overhears Dreyfus' "monologue," and Dreyfus makes use of the words (for I think he did use them), which Lebrun-Renault repeats, and which General Gonse quotes. Captain Lebrun-Renault, though naturally anxious to assist his superior officers out of a terrible scrape, probably acted with a certain degree of good faith, and retained some relic of conscience. This accounts for his frequent doubts and self-contradictions. He knew that Dreyfus had not really con-

* Dreyfus wrote, at the same time, a letter to the same effect to the Minister of War, General Mercier. This letter must have been in M. Cavaignac's hands on July 7th, 1898, but he did not produce it to the Chamber.

† The friends of Dreyfus, in endeavouring to explain the matter, generally maintained that Lebrun-Renault had not quoted the exact words. They suggested that Dreyfus might have used the conditional mood: "*si j'avais livré des documents, ç'aurait été...*" But, as will be seen, it is not necessary to fall back on this explanation.

fessed, but yet *had* used a form of words strangely resembling a confession.

But they were not a confession. They were simply *quoted* on the Saturday by Dreyfus from Colonel du Paty de Clam's utterances of the previous Monday. Add two letters (*qu*—which Lebrun-Renault may not have overheard), and the words simply become part of the encouraging assurances which, as we now know, were conveyed by General Mercier to Dreyfus on that day.

“Le ministre sait que je suis innocent. Il me l'a fait dire par le commandant du Paty de Clam, dans la prison, il y a trois ou quatre jours, et qu'il sait* que si j'ai livré des documents, ce sont des documents sans importance et pour en obtenir d'autres.”

M. Cavaignac terminated a speech which will remain one of the most signal historical examples of dishonest pleading, by the following words :

“J'ai terminé. Forts non seulement d'une résolution inébranlable, mais, ce qui vaut mieux, forts de la vérité et de la justice de la cause que nous défendons, nous ne permettrons pas qu'il soit porté atteinte aux intérêts nationaux dont nous avons la garde.”

M. Cavaignac then left the tribune and regained his place, amid the warm congratulations of M. Drumont, M. Morinaud, and other deputies.

M. Mirman, an *ex-chasseur à pied*, overflowing with patriotic fervour, then demanded the *affichage* throughout France of M. Cavaignac's discourse.

The *affichage* was voted almost unanimously : by 572 votes against 2, as at first generally reported. It was afterwards said that there was a mistake

* That is : *il m'a fait dire qu'il sait...*

as to one of these two votes. And, in fact, the next morning, in the *Journal Officiel*, the figures were given as follows: 545 — 0. Taking these figures as correct, thirty-six deputies* abstained from voting (the total number of deputies in the French Chamber was 581). But the two actively opposing deputies had melted away.

At any rate, it was clear that the Government had now emptied its bag of proofs; bag of tricks, rather. They had turned it completely inside out, and they had nothing worse behind. That is, they had, according to M. Cavaignac, exactly 997 proofs behind; all "concordant," all "undoubted and authentic."

But then M. Cavaignac is not a critic. He is simply Cavaignac the Intrepid!

XLVIII.

THE BATTLE GROWS FIERCER.

On Thursday, the 7th of July, M. Cavaignac exposed himself to the severest censure for his reckless and intrepid untruthfulness. But on Sunday, the 10th of July, he became simply ridiculous.

For on that day a letter appeared in the French newspapers, dated July 9th, and addressed to M.

Thirty-five, excluding M. Cavaignac, who would not vote on the question of the *affichage* of his own discourse. It was noticed that M. Méline also abstained from voting. For this he had an important private reason, as will appear later on.

Brisson, the Prime Minister. The writer of the letter was Colonel Picquart, who respectfully offered to prove, before any competent tribunal, that of the three documents which M. Cavaignac had relied upon as "absolute proofs" of the guilt of Captain Dreyfus, the first two could not possibly refer to that officer, while the third was a forgery. Colonel Picquart, as former chief of the Intelligence Department, was of course the best possible authority. In the most courteous terms he offered to put all the facts in his possession at the service of the authorities, and to give them every possible assistance in arriving at the truth.

Captain Dreyfus' advocate, Maître Demange, on the same day (July 9th) wrote a letter to M. Sarrien, the Minister of Justice, in which he pointed out, in the clearest language, that the documents which M. Cavaignac had produced in the tribune as proofs of Dreyfus' guilt, were documents which had never been shown to *him*, Maître Demange, at the Court Martial. Maître Demange also communicated to M. Sarrien the whole of Dreyfus' letter (to M. Demange) of December 31st, 1894,—the letter alluded to in the last Section, containing the account of Colonel du Paty de Clam's visit to the prison, and of the suggestions as to possible *amorçage* made by General Mercier.

The perusal of this letter left the Minister of Justice without excuse for his obstinate and cowardly inaction. If he did not know the truth before reading the letter, he must have been in full possession of the true explanation of Dreyfus' alleged confession, the moment he had read it.

On Tuesday, July 12th, one of the deputies, M. Fournière, interpellated the Government as to the documents produced on July 7th by M. Cavaignac, and referred to by Colonel Picquart in his letter of July 9th to M. Brisson. But Cavaignac the Intrepid proved himself a worthy son of the General who had swept the streets of Paris clear with grape-shot in 1848, and a worthy grandson of that Jean Baptiste Cavaignac who never, while he had the power, gave the Guillotine a moment's rest under the Terror. Cavaignac the Intrepid came forward and said that he thought the Chamber, "after the full and complete explanations given by the Government on July 7th," would not care to be worried every day by fresh discussions of the Dreyfus affair, and he therefore proposed the adjournment of the debate upon M. Fournière's questions for one month. As the Session was almost at an end, this of course meant that the whole matter was to stand over till the next meeting of Parliament. Certainly it would have been hard to interfere with the pleasure of deputies just starting for their holidays, and to trouble their dreams of emerald woods and sun-kissed sea-waves, by further thoughts of the unfortunate convict at Devil's Island, and his even more unfortunate wife in Paris,—the woman who, in conjunction with a few devoted friends, was still keeping up the interminable struggle with the baseness of French Ministers, and the cowardice of the deputies themselves!

So—with M. Brisson sitting, austere, sad, honourless beside him—Cavaignac the Intrepid put his motion for the "burking" of the debate to the Chamber. It is needless to say that the motion was

carried, but it is pleasant to be able to add that this motion, unlike that for the *affichage* throughout France of Cavaignac's falsehoods, was not carried quite unanimously. Four hundred and ninety-eight deputies voted for the setting aside of the discussion of matters that vitally concerned the honour and well-being of their country until a more convenient season. But twenty-four deputies voted *against* the adjournment of this debate. And one of the most painful features of the whole transaction was that the mere fact that in the then condition of France there should be found even twenty-four men in the French Chamber bold enough to risk unpopularity by voting on the side of truth and justice, caused a thrill of surprise to run throughout France—and throughout Europe.

On July 13th, the Session was formally closed by M. Sarrien.

On Sunday, July 3rd, Commandant Esterhazy had made a cowardly and silly attack in the street upon Colonel Picquart. Esterhazy sneaked up behind the Colonel and—in order, I suppose, to prove to France that Dreyfus was a traitor—struck the former Chief of the Intelligence Department with a stick. Colonel Picquart turned round, and struck Esterhazy across the face with his cane. The valiant Commandant then fled precipitately, and took refuge in a wine-shop; whence he afterwards emerged to take his own highly coloured report of the encounter to the offices of his friends, M. Drumont and M. Henri Rochefort.

That the above is a correct account of the incident

was proved by the evidence of a road-labourer, and other eye-witnesses. Esterhazy was brought before the police tribunal for the assault, but the police inquiry had not proceeded far when the Commandant's military allies at headquarters, ever ready to befriend and protect (for the sake of "the honour of the army"!) this unutterable rascal, took the proceedings summarily out of the hands of the police.

However, the War Office was not allowed time to accomplish its customary and congenial task of whitewashing Esterhazy, for on July 12th that worthy gentleman and his mistress, Marguerite Pays, were arrested. The man was taken to *La Santé*; the woman to the prison of *St. Lazare*.

This unexpected arrest was effected, not by the Government, but through the medium of our old friend M. Bertulus the investigating magistrate. As will be remembered, this cautious *juge d'instruction* had been engaged, ever since January, 1898, in inquiring into matters connected with Colonel Picquart's *plainte* in reference to the forged *Speranza* letter, and the forged *Speranza* and *Blanche* telegrams.* M. Bertulus, in pursuance of his investigation, and to the extreme disgust of Esterhazy's numerous distinguished friends and supporters, had now caused the Commandant and "the girl Pays" to be arrested. M. Bertulus at the same time seized the mass of most interesting papers and documents accumulated by Esterhazy at his residence in the Rue de Douai.

But Cavaignac the Intrepid, worthy son and grandson (as I have pointed out), was not cast down.

* See Section XIII.

It was, no doubt, a serious thing that a French magistrate should, in exercise of his civil right, make an independent move of this sort, and order the arrest of a scoundrel who had been for many months supported and endorsed by General de Boisdeffre, General Gonse, General de Pellieux, and the rest of the military chiefs. It was a still more serious thing, in the eyes of M. Cavaignac, that this move, unlike those to which he and his military friends (and ancestors) were accustomed, seemed to be made in the interests of truth and justice. Still, something in the cause of untruth and injustice could, doubtless, even now be done—by a bold and unflinching minister.

M. Cavaignac consulted the portraits of his father and grandfather, and was not long in deciding upon the right step to take. As a counter-stroke to the perfectly legal action of M. Bertulus in regard to an acknowledged rascal, M. Cavaignac took the step of ordering an absolutely innocent and honourable man, Colonel Picquart, to be arrested (on July 13th) and confined in the same prison as Esterhazy. This arrest was perfectly illegal (as M. Trarieux, the Senator and former Minister of Justice, at once pointed out), for the only charges against Colonel Picquart were the same trumped up charges for which he had already, on the suborned testimony of men like Colonel Henry and Gribelin the *archiviste*, been deprived of his commission. But what did a trifle of that kind matter to the grandson of Jean Baptiste Cavaignac ?

XLIX.

A GREAT MAN'S INDIGNATION.

THE resumption of Zola's so-called trial at Versailles was fixed for Monday, July 18th. It was by this time perfectly well-known that there would be no real trial at all ; that Périvier the Strong would, in behalf of a Government whose one abiding terror was the discovery of the truth, refuse to allow the defendant's witnesses to be heard ; and that Zola, unless able to produce a material written "order" from the Minister of War to the judges at Esterhazy's Court Martial, would inevitably be condemned. To such a level of degradation had justice, and the administrators of justice sunk in France !

On Saturday, July 16th, a letter from M. Zola to M. Brisson the Prime Minister, appeared in the *Aurore*. It was a noble letter, full of a great man's indignation at the miserable devices to which general after general, judge after judge, minister after minister, had had recourse, in order to keep an innocent man in penal servitude, and a proved traitor in the French army. It was easy to see that M. Zola, in common with all critics throughout the world, had been utterly staggered and stupefied at the consummate and shameless impudence of M. Cavaignac's address to the Chamber of deputies on July 7th ; at the cruel and illegal manner in which M.

Sarrien, the highest representative of French "justice," had ignored Madame Dreyfus' petition; at the production by M. Cavaignac of such a wretched and obvious forgery as the secret document of 1896; at the unanimous voting by the deputies of the *affichage* of an untruthful and misleading speech, deliberately calculated to deceive the people of France, and especially the simple and uneducated—the *petit peuple*, as Zola called them; and above all, at the really monstrous iniquity of the arrest of Colonel Picquart. It is, in fact, impossible to find in history the record of any action more cynically insolent than M. Cavaignac's confinement of Colonel Picquart, the one officer who had saved the honour of the French army, in the same prison as Esterhazy; the rascal who had systematically, for money, betrayed France and the French army for years.

M. Zola's letter to M. Brisson will, of course, become portion of history. But a few extracts I may be allowed to quote; they are full of the indignation and sorrow of the great Frenchman who, in 1898, was struggling against enemies of precisely the same stamp as those who exiled Victor Hugo—and whom Victor Hugo made immortal by his scorn.

M. Zola said :

"Chaque matin, depuis six mois, je sens grandir ma surprise et ma douleur. Je ne veux nommer personne, mais je les évoque, tous ceux que j'aimais, que j'admirais, en qui j'avais mis mon espoir pour la grandeur de la France. Il en est dans votre ministère, monsieur Brisson, il en est dans les Chambres, il en est dans les lettres et dans les arts, dans toutes les conditions sociales. Et c'est mon cri continuel : comment celui-ci, comment celui-là,

comment cet autre ne sont-ils pas avec nous, pour l'humanité, pour la vérité, pour la justice ? Ils semblaient d'intelligence saine pourtant, je les croyais de coeur droit ! C'est à confondre la raison...

“ Je vous croyais trop avisé, monsieur Brisson, pour ne pas être convaincu, comme moi, que pas un ministère ne pourra vivre, tant que l'affaire Dreyfus ne sera pas légalement liquidée. Il y a quelque chose de pourri en France, la vie normale ne reprendra que lorsqu'on aura fait oeuvre de santé. Et j'ajoute que le ministère qui fera la revision, sera le grand ministère sauveur, celui qui s'imposera et qui vivra ...

“ Spectacle lamentable, la fin d'une vertu, cette faillite d'un homme en qui la République avait mis son illusion, convaincue que celui-là ne trahirait jamais la cause de la justice, et qui, dès qu'il est le maître, laisse assassiner la justice sous ses yeux ! Vous venez de tuer l'idéal. C'est un crime. Et tout se paie, vous serez puni ...

“ Voyons, monsieur Brisson, quelle ridicule comédie d'enquête venez-vous de permettre ? Nous avons pu croire que le fameux dossier allait être apporté en conseil des ministres, et que là vous vous mettriez tous à l'examiner, additionnant vos intelligences, vous éclairant les uns les autres, discutant les pièces comme elles doivent l'être, scientifiquement. Et pas du tout, il apparaît nettement par le résultat qu'aucun contrôle n'a eu lieu, qu'aucune discussion sérieuse n'a dû s'établir, que tout s'est borné à chercher fièvreusement dans le dossier, non pas la vérité, mais les seules pièces qui pouvaient le mieux combattre la vérité, en faisant impression sur les simples d'esprit ...

“ Et voyez aussi quel piteux résultat ! Comment ! vous n'avez trouvé que ça ? Et, si vous n'apportez que ça, dans le furieux désir que vous avez de nous vaincre, c'est donc bien qu'il n'y a que ça, que vous sortez le fond de votre sac ? Mais nous les connaissions, vos trois pièces ; nous la connaissions surtout, celle qu'on a si violemment produite en cour d'assises, et c'est bien le faux

le plus impudent, le plus grossier, auquel des naïfs puissent se prendre. Quand je songe qu'un général est venu lire sérieusement cette monumentale mystification à des jurés, qu'il s'est trouvé un ministre de la guerre pour la relire à des députés et des députés pour la faire afficher dans toutes les communes de France, je demeure stupide. Je ne crois pas que quelque chose de plus sot laisse jamais sa trace dans l'histoire ...

"Alors, s'il est bien évident que, ces prétendus aveux, on ne saurait les faire accepter par les gens raisonnables, de quelque culture, pourquoi donc les produire au plein jour, pourquoi donc les étaler ainsi à grand fracas? Ah! c'est ici l'habileté affreuse, l'effroyable calcul, de jeter cette conviction aisée au petit peuple, aux simples d'esprit. Quand ils auront lu vos affiches, n'est-ce pas? vous espérez que tous les humbles des campagnes et des villes seront avec vous. Ils diront des affamés de vérité et de justice: 'Qu'est-ce qu'ils nous embêtent, ceux-là, avec leur Dreyfus, puisque le traître a tout avoué!' Et, selon vous, tout sera fini, la monstrueuse iniquité sera consommée.

"Savez-vous bien, monsieur Brisson, qu'une telle manœuvre est odieuse. Je défie qu'un honnête homme n'en soit pas bouleversé, les mains tremblantes de colère et d'indignation."

Failing the superb malediction of the poet of the *Châtiments*, or the avenging satire of Juvenal, the letter from which I have quoted the above examples will remain one of the greatest indictments of history; as, unfortunately for France, it was one of the justest and the most pitilessly accurate.

M. Zola's letter was published in the *Aurore* on Saturday, July 16th, 1898. On Monday, July 18th, came the answer of the Army and the Government to the brave man who for months had been fighting desperately, but never despairingly, to save the

honour of his country. On the Monday, edition after edition was sold of the *Petit Journal*, containing M. Judet's cunningly constructed accusations against Zola's father, supported by two forged letters. On the Monday, M. Zola appeared at Versailles, and, without being allowed to prove the truth of his statements, was again condemned to the *maximum* penalty : 3000 francs fine, and a year's imprisonment.

L.

THE CONTRE-AFFICHAGE.

A HAPPY idea now occurred to the friends of Dreyfus and justice,—that of meeting the *affichage* of M. Cavaignac's dishonest and misleading speech by a counter-proclamation. It was decided to appeal to the public for subscriptions, and to placard all over France, side by side with M. Cavaignac's document of untruth, a document of truth. The *Siècle* on July 13th announced this intention and that day opened a subscription, stating that the names of all subscribers would be published. The proclamation was to contain the principal portion of Colonel Picquart's

letter of July 9th, in reference to the documents produced in the tribune by M. Cavaignac ; the affirmation of Maître Demange before the Seine Assize-Court (repeated in his letter of July 9th to M. Sarrien) that the only document placed before him at Dreyfus' trial was the *bordereau* ; Dreyfus' letter of December 31st, 1894, to General Mercier, the Minister of War ; Dreyfus' letter written to Maître Demange on the day of degradation, January 5th, 1895 ; and an "Appeal to Public Opinion," issued by the newly formed *Ligue pour la défense des droits de l'homme et de citoyen*.

It was arranged that this placarding of the facts of the matter, in opposition to the Government placarding of a perfectly untrue account of the story, should begin in Paris, on Saturday, July 16th, and should afterwards, in proportion to the amount of the subscriptions received, be extended throughout the whole of France. The papers who were carrying on the campaign of the War Office naturally made light of the whole thing, and the *Jour* predicted that the total sum received would not pay a cab fare.

The *Jour* was mistaken. There were still a few friends of justice, and haters of organized iniquity, left in France. The subscription lists were only kept open by the *Siècle* for nine days—from July 13th to July 21st—and in those nine days more than £800 was received. This was a cheering incident ; one of the few cheering incidents of a dark and distressing period of the history of a great country.

The exact figures of the amounts received on each day, mostly in small sums forwarded by a very large

number of people, are worth recording. They are^a as follows :

		francs	centimes
1st List (July 13th) ...	...	5,882	90
2nd List (July 14th) ...	...	1,773	80
		<hr/>	
		7,656	70
3rd List (July 15th) ...	...	4,037	01
		7,656	70
		<hr/>	
		11,693	71
4th List (July 16th) ...	...	3,729	60
		11,693	71
		<hr/>	
		15,423	31
5th List (July 17th)* ...	...	710	
		15,423	31
		<hr/>	
		16,133	31
6th List (July 18th) ...	...	1,415	60
		16,133	31
		<hr/>	
		17,548	91
7th List (July 19th) ...	...	1,408	05
		17,548	91
		<hr/>	
		18,956	96
8th List (July 20th) ...	...	908	20
		18,956	96
		<hr/>	
		19,865	16
9th List (July 21st) ...	...	517	75
		19,865	16
		<hr/>	
		20,382	91

^aThis was Sunday.

It was pleasant, on casting one's eyes down the list of subscribers published in the *Siècle*, to read such entries as the following :

	francs	centimes
<i>Une anonyme qui n'aime ni Drumont ni Rochefort, mais la justice et la vérité</i>	5	—
<i>Une française qui adore son pays et qui admire Picquart</i>	20	—
<i>Quel chagrin pour un ami de la patrie de voir ce qui se passe</i>	20	—
<i>Un admirateur de Picquart et Zola ...</i>	5	—
<i>Un écœuré des procédés de Cavaignac ...</i>	10	—
<i>Deux amis du droit</i>	20	—
<i>Jules Wolff, chimiste, proteste contre le violation du droit</i>	5	—
<i>Mme Drumont, honteuse de son ignoble homonyme</i>	2	—
<i>Un Français qui ne veut pas reculer de 500 ans</i>	5	—
<i>Un officier indigné de gouvernants qui venient tout leur passé et préparent une catastrophe imminente</i>	2	—
<i>8 amis des intellectuels</i>	170	—
<i>A Boisdeffre et Pellieux avant qu'ils nous envoient des coups de fusil et vive l'armée, honte à Mercier et Billot ...</i>	2	—

But the most amusing—though also painfully significant—incident in connection with this effort to enlighten the people of France, was the indignant attitude assumed by General Gripois, who was in command at Belfort. He actually took the trouble to advertise the *affichage*, and to draw the attention of all the soldiers under his orders forcibly towards it, by ordering them not to read it! General Gripois' name will not live in history for any distinguished services rendered to his country. But he may

possibly be remembered as having, on the 19th of July, 1898, rendered French generals even more completely ridiculous (if possible!) in the eyes of the world than they were on July 18th.

For, at morning parade on July 19th, General Gripois caused the following order to be read to the troops of the garrison at Belfort :

“Seventh *Corps d'armée*.

“*Place de Belfort*.

“Order No. 236.

“A proclamation, signed by the committee of a Society which calls itself the *Ligue de la Défense des droits de l'homme et du citoyen*, was last night posted up on the walls of the town of Belfort.

“The law does not allow us to remove this poster, which constitutes an insulting attack upon the chiefs of the army and upon the judgments delivered by our courts martial.

“The soldiers of the garrison will not read it, they will all despise this insult to their chiefs, and to their flag.

“Officers, non-commissioned officers and soldiers, we shall not forget that we are the sons of those who defended the walls of this heroic city against the foreigner, and who have attached to their flag the cross of the Legion of Honour.

“*Le général de division gouverneur*,

“*commandant d'armes*,

“GRIPOIS.”

LI.

HOW TO STRANGLE DISCUSSION UNDER A
REPUBLIC.

ON Wednesday, July 6th, the case of the three experts of easy virtue—MM. Belhomme, Couard and Varinard—came before the ninth Chamber of the correctional tribunal of Paris. It will be remembered that these gentlemen—in whom, had it not been for their momentary and episodical connection with Zola and his cause, no one in the world would have felt the slightest interest—had been of singular assistance to the Government at the Esterhazy Court Martial, and had been with reason accused by M. Zola of having given false and perjured testimony in regard to the handwriting of the *bordereau*; that is, M. Zola went on to say, “unless they are suffering from some affliction of the eyesight, or from mental disease.” And in fact, at this point in the story, the question of the authorship of the *bordereau* had ceased to be a matter of discussion. Already, as the scientific experts examined at Zola’s first trial predicted would be the case, the question had been settled by history. The *bordereau* was written by Esterhazy.

However, that of course was no reason why MM. Belhomme, Couard and Varinard, the three experts

of easy virtue, who had staked their reputation on an opposite conclusion,* should not, if possible, obtain fancy damages from Zola for frankly telling the truth about them. There is not anything in the world quite so dangerous as to tell the whole truth about rascals.

The great object of MM. Belhomme, Couard and Varinard was, if possible, to have the case tried before a magistrate, not before a jury. Before a magistrate Zola would not be allowed to produce proofs of his charges, and also, by French customs, the newspapers are not allowed to report in any detail the proceedings and speeches of counsel before correctional tribunals.† This would place the three experts in such a charmingly commanding position!

Zola had appealed to the Court of Cassation on the point, as his desire, throughout the matter, was to produce evidence, and to bring the whole truth to light. However, owing to a flimsy piece of legal technicality, in virtue of which experts are not regarded as witnesses (though they appear and give evidence), his appeal was rejected by the higher Court.

Therefore on July 6th, as abovestated, the hearing of the case was resumed before the correctional tribunal. Judgment was given on the following Saturday, July 9th. MM. Zola and Perrenx were severely reprimanded for telling what was obviously the truth. M. Zola was fined 2000 francs, M. Perrenx was fined

*Just as they, with the same easiness of virtue and contempt of evident fact, staked their reputation on the assertion that the Uhlan letter was *not* written by Esterhazy.

†M. Perrenx did, in effect, publish a detailed account of the proceedings in the *Aurore*, and was fined 500 francs for doing so.

500 francs, and MM. Zola and Perrenx were condemned to pay 5000 francs damages between them in respect of each expert: 15,000 francs in all.* It was carefully stated in the judgment that, if this had not been M. Zola's first offence, he would have been not only fined, but sent to prison for a fortnight. So ended, though only for the moment, one of the most squalid episodes in the long and painful story; an episode which, though of little public interest in itself, has considerable importance as a link in the long chain of error, crime, and injustice.

After this necessary digression, let me return to M. Zola's resumed trial at Versailles on Monday, July 18th. I have already referred to the result, which was, indeed, a foregone conclusion. But there are a few further facts worth insisting upon in some detail.

First of all, it should be clearly realised—and it was not clearly realised in England, for, at this point, not unnaturally, the various intersecting actions, sub-actions, accusations, counter-accusations, and questions of procedure, began to grow so complicated that the English papers lost the thread of the narrative—it should be clearly realised that M. Zola's one

* The three experts of easy virtue, who had actually claimed and hoped to pocket 100,000 francs damages apiece, were sadly disappointed. They brought their case to the Court of Appeal, which to a certain extent sympathised with their natural annoyance, and (on August 10th) "doubled the dose" all through. That is to say, the Court of Appeal maintained Zola's fine of 2000 francs, ordered him to be put in prison for a month in good earnest, doubled Perrenx' fine of 500 francs, and doubled the mutual damages in respect of each expert: thus raising these to a total of 30,000 francs, instead of 15,000. The Court also ordered the judgment to be inserted at the expense of the defendants in forty newspapers, instead of only ten, as a warning to those in France who were disposed to love justice and to speak the truth, never to do either—without first consulting the *Etat-Major*.

object, from first to last, was to throw light upon the Dreyfus affair, and, if possible, to bring about the revision of a sentence illegally passed upon an innocent man. That, and that only, was M. Zola's real object. Though he would have been willing to go to prison, if necessary, for the sake of furthering the good cause, it was not his object to go to prison. He was not struggling to obtain for his brow a halo of martyrdom. He was not covetous of that "apotheosis" which M. Cornély of the *Figaro* was good enough to suggest would certainly have been his, had he been willing, with lamb-like acquiescence to accept the verdict of the jury at the Seine Assizes, and to march tranquilly off to prison. M. Zola's one aim, his determined and uninterrupted effort, was to prove the whole truth in regard to the terrible Dreyfus affair. If that be thoroughly realised, what follows will become clear; clear in spite of an organised (and subsidized) attempt on the part of the baser organs of the French Press* to distort facts and to mislead opinion.

Very well; in pursuance of this intention of his client, the very first thing which Maître Labori rightly did when the trial was resumed at Versailles was to endeavour to ascertain whether M. Zola would be allowed to produce and examine witnesses freely. I have already pointed out† that M. Méline and General Billot by quoting only about three lines of M. Zola's letter, had intentionally arranged matters with a view to preventing the possibility of any real

* Those, one must sorrowfully add, in the employ of the French War Office, and engaged in defending the so-called "honour of the army."

† In Section XXVIII, entitled "Perfect Ignominy."

trial. The person accused was to be carefully gagged, and then asked tauntingly why he did not speak. He was to be rigidly bound, and then jeered at for his inertness. And, as I have already said, nothing meaner and more ignoble was ever done by any Government, or connived at by any judges, in history.

In accordance with the prearranged plan, when Maître Labori sought to establish the obvious and undeniable "connexity" between the matter of Esterhazy and the matter of Dreyfus, he was met by the old insincere allegation that the two affairs were distinct, and that no evidence relating to Dreyfus could be put before the Court.

Maître Labori then took what was clearly the correct course. He announced that his client would appeal to the Court of Cassation on the question of "connexity," and he asked that the trial might be suspended until this question, on which everything turned, had been settled.

The judge refused to suspend the sitting. This meant that the second trial, like the first, was to be a mockery of justice. M. Zola was not to be allowed to bring forward evidence tending to prove his good faith, and to justify what he had written. Why not? Because such evidence would tend not only to justify M. Zola, but more and more clearly to show that a terrible crime had been committed in the matter of Captain Dreyfus. And it had now become a settled thing with two successive sets of French ministers, with the majority of deputies composing two successive Chambers, with the military chiefs, and with two of the highest

authorities on the French Bench,* that it was better that a French officer (being a Jew), should be kept all his life in penal servitude, even if very possibly quite innocent, than that the frank admission should be made that French military justice was not infallible.

Maître Labori then stated that, under these circumstances, M. Zola would leave the Court and accept judgment by default. There can be little doubt that M. Zola and his counsel acted wisely and rightly.

I should like, before closing this Section, to quote a few extracts from the peroration of Procureur Général Bertrand, who spoke on behalf of the Government. As a matter of history, it is quite curious to see to what an extent it had by this time become necessary for the Government and its supporters to misrepresent facts.

Procureur Général Bertrand was trying to suggest plausible motives for Zola's conduct. He said :

“M. Zola has been guilty of a libel, and the reason is that he is a man of immeasurable pride, a man who thinks that he is the Messiah of the ideal, that he represents the genius of France, and that he therefore has a double right to drive into the rebellious conscience of the nation a doubt as to the judgment delivered by the Court Martial. He threatens, he has threatened. He has threatened France by saying to her : ‘I have carried the light of your name across Europe, I will now make you feel the weight of Europe's contempt.’...

* M. Delegorgue and M. Périvier.

“After the acquittal of Commandant Esterhazy, it became necessary to renew the agitation. The campaign of recrimination and disorder was over, all hope of obtaining the revision of the Dreyfus case was at an end, but it was necessary to prevent France from growing calm, it was necessary to make a fresh start, and therefore recourse was had to a colossal trial before the Assize Court. Witnesses by hundreds were flung into the case: political friends, ministers, generals—and what for?

“To endeavour to demonstrate that the condemnation of Dreyfus was a judicial error committed through prejudice, through weakness of will or a too great desire to conciliate, that this mistake had been recognised when it was too late, *and that then, through a phenomenon which has not yet presented itself in the history of any nation, not only the military, not only the General Staff, not only the ministers of war, but also the civil ministers, every one, the whole of France, so to speak, had joined together in a vast coalition, inventing, forging, falsifying, in order to prevent the truth from coming to light, and in order to seal the judicial error under a triple stone.*”

I have italicised this passage in Procureur Général Bertrand's speech, for it is worth remembering—it is worth learning by heart. The astute lawyer, while repeating with unction the above words, must have very well known that the “phenomenon” he was describing as unprecedented and impossible, was, most exactly and accurately, the thing that had taken place. That is the advantage of committing a fraud on an enormous and almost unparalleled scale.

One of the strongest lines a brazen defence can take is to say, as Procureur Général Bertrand said :

“The fraud suggested by the other side as having taken place is so enormous and unparalleled that it cannot possibly have occurred.”

Nevertheless, the gigantic fraud *did* occur. It occurred precisely as Procureur Général Bertrand described it—while denying it. And not only Procureur Bertrand himself, while speaking, but all ministers, all military chiefs, all deputies, all educated persons in France, knew, on July 18th, 1898, that it *had* so occurred.

LII.

THE DISAPPEARANCE OF ZOLA.

THE day after the trial the news went round that M. Zola had suddenly and mysteriously disappeared. And, in fact, he *did* disappear from the sight of men as completely as if a friendly gnome or fairy had opened for him the doors of some mystic subterranean retreat, wherein he might rest for a season, no longer assailed by the coarse insults of Drumont and Rochefort, or the ignorant clamour of a Parisian populace.

It was necessary, of course, to serve notice upon him of the judgment. But when the *huissier* of the Court of Versailles arrived at M. Zola's residence at Médan, he found only a few women servants engaged in the harmless task of gathering wild cherries in the orchard. The *huissier*, being unable to serve the writ upon M. Zola in person, as the law enjoins, deposited his document with the Mayor of Médan, and departed.

Then, for some days, a game of hide and seek took place, which was one of the most curious episodes in a story which, as we have seen, was constantly passing from the tragic extreme to the extreme of the ridiculous. Each newspaper, every day, published a different account of M. Zola's whereabouts; and all the accounts were wrong. It was a strangely forcible comment on the value of newspaper testimony. At last it was decided that the distinguished novelist had, acting under medical advice, gone to the North Pole for change of air; though his friend, M. Georges Clemenceau, obstinately maintained that Zola, from first to last, was simply *caché* in a leafy retreat in the very centre of the Forest of Rambouillet.

Naturally, the Esterhazian papers made the most of Zola's temporary disappearance, and advertised "Zola in Flight" in enormous letters. M. Rochefort, in the *Intransigeant* of July 21st, said:

"Not one of these people, be thoroughly assured of that, is not in his heart completely convinced of the ignominy of the scoundrel of Devil's Island; not one of these so-called lovers of justice, if pressed, would not be ready to cry out:

" 'I will willingly swear that he is innocent; but I would not bet upon it.' "

"If it were otherwise, how was it, *after the proofs brought to the tribune by M. Cavaignac*, that they did not say to their Zola :

"*'It is now your turn to produce yours.'*

"No ! they have with languishing glances watched him make tracks in the direction of Brussels, from which place he will be able, without incurring any personal danger, to send us fresh lies."

Another writer in the *Intransigent* of the same day exclaimed :

"At last, this time, the prophecy of the Dreyfusards is accomplished. Truth is on her march.

"And indeed, in order to march more quickly, she has even taken the Brussels express, and is hurrying across the frontier at the rate of eighty miles an hour.

"For Truth, accompanied by her showman Zola, has turned tail, and is scuttling away towards Belgium with the speed of a swift hare."

Notice the lines I have italicised in the first of these extracts.

When M. Rochefort wrote them, he knew perfectly well :

1. That the so-called proofs produced in the tribune by M. Cavaignac were so ridiculously inadequate that they had moved the whole world to laughter.

2. That M. Zola, M. Scheurer-Kestner, and their friends, had been struggling ever since November, 1897, to produce their proofs.

3. That the whole effort of the War Office, of successive Governments, and of such writers as himself, Rochefort, had been to hinder those proofs from appearing.

In the same way, when M. Henri Rochefort wrote the following in his paper on July 20th, he wrote what he knew to be an infamous falsehood :

“For the thirtieth time M. Zola had promised to face the discussion, engaging, in his letter to M. Brisson, triumphantly to refute the proofs which M. Cavaignac had supplied of the guilt of the traitor.”

M. Rochefort knew that M. Cavaignac had *not* furnished proofs, but only reckless assertions.

M. Rochefort knew that M. Zola did *not*, in his letter to M. Brisson, “engage to refute triumphantly,” etc.

M. Rochefort knew (but did not say) that it was Colonel Picquart, the late chief of the Intelligence Department, who offered to prove, “before any competent tribunal,” that the “proofs” on which M. Cavaignac professed confidently to rely, were absolutely worthless.

M. Rochefort knew (but did not say) that M. Cavaignac and the War Office, afraid to accept Colonel Picquart’s offer lest the truth should appear, had, instead of “facing the discussion,” taken the cowardly and base step of throwing into prison, on false charges, the officer who had offered to explain the facts to them.

One more quotation from the writer specially retained by General de Boisdeffre to defend “the honour of the army,” and, for the moment, I have done.

On July 20th M. Rochefort wrote :

“Zola was not assassinated yesterday at Versailles. However, he is dead all the same, for he committed suicide yesterday in open court. His burial, at which

Trarieux, Picquart, Billot and Reinach held the cords of the hearse, took place accompanied by the strident shrieks of penny whistles, and the holy water with which such Catholics as Jaurès ordinarily sprinkle tombs was represented by a perfect rain of spittle in which Zola remained totally submerged."

That is Rochefort—the chosen champion of the *Etat-Major*. Not only "by their fruits," but also by their defenders, "shall ye know them." I must explain that one of the recent freaks of the *maniaque de mensonge*—as M. Urbain Gohier with perfect justice christened M. Rochefort—was to state that M. Jaurès, the Socialist ex-deputy, was at heart a most rigid and narrow-minded Catholic!

M. Zola's real object, in thus for the moment disappearing from the scene, was simply to keep the trial suspended for a while, in order to appeal to the Court of Cassation on the subject of "connexity," and also in order to allow time for the events connected with the arrest of Esterhazy and Colonel Picquart to develop themselves.

M. Zola certainly was not fleeing from prison, for it was in his power to render the whole trial again null and void, by simply appealing to the Court of Cassation on the ground that the Court Martial prosecuting was not the Court Martial legally entitled, under the circumstances, to prosecute. From the point of view of French law, what is called the First Court Martial of Paris is a permanent body, regarded as perpetually sitting. It has a corporate existence, quite apart from the life of its individual and momentary members. There is no doubt that,

in strict law, it is to this corporate body that General Billot should have appealed, when he took steps, after the break-down of Zola's first trial, to bring Zola once more before the Court of Assizes.

General Billot, in fact, upon the second occasion, was so nervously anxious to prove to MM. Rochefort and Drumont that he was not a "traitor," * and to ensure the conviction and punishment of "the insulter of the army," that he took actually too much trouble: he overshot the mark. With the best and most warlike intentions, he took infinite pains to summon together precisely the identical seven officers who had tried and acquitted Esterhazy. By this very act he rendered Zola's second trial, at the very outset, as illegal as the first. For one of the officers who had tried Esterhazy—Commandant Rivals—had, since Esterhazy's trial, been removed from Vincennes to Bourges. He was therefore summoned to return to Paris for the occasion of Zola's second trial.

But this proceeding vitiated the whole affair, from the legal point of view. Commandant Rivals no longer belonged to the garrison of Paris. Nor, indeed, were the other six officers who judged, or misjudged, Esterhazy, necessarily, as General Billot fondly believed, the officers qualified to prosecute Zola on the second occasion. General Billot should have regarded the First Court Martial of Paris as a corporate body, sitting *en permanence*. He should have convoked, not the individual units who represented the corporate body in January, 1898, but the individual units, whoever they might be, who repre-

* See Section XXVII.

sented the corporate body in May, 1898, or in July, 1898. The second trial, on this ground alone, and very probably on other grounds, was from the strictly technical point of view, as illegal as the first.

However, it was not Zola's object *not* to be tried. It was his object to *be* tried, but to be tried fairly, and in the course of a fair and public trial to bring facts to light which would make the revision of the Dreyfus case a necessity.

His opponents, on the other hand, were only anxious to have done with the whole matter. All they wanted was to stifle discussion, to serve the notice of the judgment by default upon Zola, to call the Court together again in a fortnight's time for an extraordinary session, pass the definitive sentence, and then hurry their obstinate enemy off to prison.

There was no reason in the world why Zola should play into their hands, and consent to pass the hot months of the year in prison. It was decidedly better policy to withdraw for a time, take a rest, and come to the scratch fresh and full of fight in October.

Therefore it was that M. Zola, after the third version of his trial, retired for a season to the North Pole, or, according to M. Clemenceau's theory, to the green silent centre of the forest of Rambouillet. Therefore it was that, as I have narrated, when the eager Versailles *huissier* arrived at Médan, brandishing Périvier's writ, he found only a number of women engaged in gathering—and, no doubt, eating—wild cherries.

LIII.

A PRIEST'S SPEECH AND A POET'S LETTER.

BUT, while Zola was resting in his forest, neither his enemies nor his friends were idle. A priest, the commander-in-chief of the French army assisting, made one of the most blood-thirsty and truculent speeches ever delivered, even in France. The Council of the Order of the Legion of Honour—of which Council M. Sully-Prudhomme, the poet, I regret to say, was a member—stripped the cross and ribbon from Zola's breast. M. Léon Bourgeois, the Minister of Public Instruction, erased the word *Justice* from a poem by M. Maurice Bouchor which was to be read at the *fête* held on Michelet's centenary. M. Bourgeois thought that at such a moment even the mention of the word might be construed as an insult to the army. Very possibly it might have been.

M. Bourgeois, the *roi des fourbes* as an old colleague once called him, also suspended M. Paul Stapfer, one of the noblest men in France, for six months. Why? Because M. Paul Stapfer, at the grave of his friend M. Couat, had made frank reference to his friend's very natural uneasiness at the condition of the Republic. *Père Didon*, the priest who had made the sanguinary speech, was, of course, not interfered with.

Three men of honour—three!—but even that was something—wrote letters resigning their crosses, on

the ground that they no longer desired to wear a decoration, which had been changed from a mark of honour to a sign of shame, by being removed from the breast of Zola, while it was still suffered to remain upon the breast of an Esterhazy. These three men of honour were M. Jules Barbier, the dramatic author; M. Francis de Pressensé, the publicist; and M. Maurice Bouchor, the poet.

It is well worth while to quote side by side the actual words spoken by M. Paul Stapfer, the *doyen* of the *Faculté des Lettres* of Bordeaux, and those spoken by *Père Didon*, and approved by General Jamont, the commander-in-chief of the French army, at the summer distribution of prizes at the Dominican school at Arcueil. General Jamont presided in person at this distribution. M. Paul Stapfer was speaking, a few days later, at the grave of his friend M. Couat, the universally loved and respected Rector of the Academy of Bordeaux. The extraordinary condition of France in the month of July, 1898, was exactly expressed and summed up by the two incidents; and by the fact that, while no notice was taken of *Père Didon's* discourse—which, indeed, gave most accurate utterance to the hopes and aspirations of M. Cavaignac and the leaders of the French army—M. Paul Stapfer, to the utter consternation of all right-minded people, was suspended for six months by M. Bourgeois, the Minister of Public Instruction.

The following were the words of the warlike Dominican, and the *intellectuel*, Paul Stapfer. To English readers it will seem almost incredible that

the members of all the Faculties present thought it necessary to send a definite apology for Paul Stapfer's simple and natural words to General Varaigne, who represented "the honour of the army" upon the occasion.

M. PAUL STAPFER.

"To his [M. Couat's] long-standing family sorrow [the incurable illness of hisson] there was added, during the latter years of his life, a patriotic anguish of the keenest kind. He, the man of justice and of logic, experienced a veritable terror in presence of the prevailing sectarian violence, and in presence of the complete confusion and disarray of thought, swept into utter bewilderment by a storm of furious unreason. I must not express myself in detail upon this subject, and I will say no more, for fear of saying too much. But I think it right that everyone should know that this man, with his passionate enthusiasm of character, took to heart, even to the extent of being rendered seriously ill by his grief, the evil and the shame which was being inflicted on his country, and, if I may not be per-

PÈRE DIDON.

"When I speak of the necessity that exists for a nation to have force at its command, I am not afraid to define my meaning, and to say that I am speaking most distinctly of material force, of force which does not reason, but which simply uses compulsion, of the kind of force of which the army is the most powerful expression, in fact of that of which it can be said, as has been said of cannon, that it is the supreme justification of statesmen and of countries....

"A country can better afford to dispense with literature and art, yes even with science and philosophy, than with force....

"When persuasion has failed, when love has proved powerless, it becomes necessary to arm oneself with the coercive force, to brandish the sword, to terrorize, to cut off heads, to take vigorous action and

mitted to indicate more exactly on which side was the great soul of this noble *intellectuel*, let me at any rate say (since this can give offence to neither party) that the profound wound which his patriotism had received, did actually shorten his life. Gentlemen, justice sometimes suffers eclipse beneath the clouds of passion. If, to-day, we cannot clearly discern where justice is, let us always follow the steps of this just man: we shall be certain of being in the true path. I have spoken."

strike, to impose justice on the people. The use of force, at such a juncture, is not only allowable and legitimate, it is an absolute duty; and force thus employed is no longer a brutal power; it becomes a beneficial and holy energy.

"The supreme art of government is to be able to fix the exact moment when tolerance becomes complicity. *Woe* to those who mask their criminal weakness behind an insufficient legality, to those *who let the sword grow blunt*, to those whose goodness becomes frivolity: the country, delivered over to suffering of every kind, will reject and condemn them, for not having known how—even at the price of blood—to defend and to save it."

After *Père Didon's* open appeal to the worst instincts of human nature, to the beast in man which lusts for massacre and the hand which wields the sword, the letter of the poet M. Maurice Bouchor to his brother poet M. Sully-Prudhomme came with a sense of relief and freshness, like a sudden breath of air from the sea.

“ Etretat, July 30th, 1898.

“ My dear Master,

“ In a letter which you have no doubt read, and the proud modesty of which I cannot but admire, M. Jules Barbier informed the Grand Chancellor of the Legion of Honour that he desired to send in his resignation, in consequence of the decision taken against Zola by the Council of the Order. An official note has explained to the public that this resignation cannot be accepted: the statutes and precedents of the Order forbid it. I have therefore been compelled to abandon my intention of following the example of M. Jules Barbier, and tendering my resignation to the Grand Chancellor. But I do not imagine that the law compels members of the Legion to wear the *insignia* of their rank, and I feel it a duty, my dear Master, to tell you why I am determined no longer to wear the ribbon of chevalier.

“ I feel especially bounden to tell this to *you*—you whom I love and admire as a poet, you to whom I am indebted for so much kindness, you the noble author of a poem which has for its title: *Justice*.

“ You belong to the Council of the Order. I do not know what your vote was, when the measure which has dismissed Zola was put before the Council, and I have no right to form any hypothesis as to this point. But I have the right to say that the decision arrived at appears to me unjustifiable.

“ Zola has been reproached with profoundly troubling France. Is it to *him* that this reproach ought properly to be addressed? The French Revolution troubled our country to a far greater degree, and also the whole world. But to whom

ought one to impute the troubles which the Revolution caused : to those who carried it out, or to those who rendered it inevitable ? The revolutionary attitude of Zola is fully justified by the obstinate determination of M. Méline's Government (worthily continued by M. Brisson) to hush up an evident illegality, the most suspicious machinations, and, probably, an appalling act of injustice.

"It is true that Zola has violently accused several officers, and that, by so doing, he has incurred a grave responsibility. But, so long as complete light has not been thrown upon the matter, the complete light which he has been so earnestly demanding, so long as it is not permitted to him fully to explain his case in a loyal and exhaustive discussion, it is impossible to form a definite judgment as to the truth of his accusations.

"In the meantime, he has found the means, even in a truncated debate, to bring to light a portion of the truth ; it is impossible to doubt his good faith : and even those who blame his violent language, even those who think that he is mistaken, are unable to deny his splendid courage.

"I therefore refuse to admit that Zola has in any way sinned against the laws of honour ; on the contrary, I consider that he has done a great deal for the honour of France ; and I should feel myself humiliated if I continued to wear a decoration which the Council of the Order has removed from Zola, while at the same time leaving it in the button-hole of Esterhazy.

"Pray accept, dear Master, the assurance of my respect, and the expression of my profound sadness.

"Maurice Bouchor."

This admirable and noteworthy letter again exactly expressed the deplorable situation. Through the two initial acts of cowardice—the rejection by the generals of Colonel Picquart's testimony in November, 1896, and the rejection by the Government of Scheurer-Kestner's testimony in November, 1897—the authorities had drifted into a position positively frightful. Henceforward it was necessary for them—and herein lay their punishment—to call good, evil, and evil, good; to support the falsehoods and shameful actions of the past by even more degrading falsehoods and more shameful actions in the future; to rely upon the help of a group of press-men more unscrupulous and dangerous than any country has ever been cursed with; to feel their self-respect and the respect of their true friends daily forsaking them, and, as this abandoned them, to become ever more loud-tongued in utterance, and more brazen in outward seeming; to denounce, prosecute and imprison those whom they knew to be struggling, against desperate odds, in the cause of truth and justice, which was the cause of the honour of France; to wrest, pervert and misinterpret the law in the most ingenious and unwarrantable ways in order to obtain convictions against honourable men they knew to be innocent, and in order to cover and acquit scoundrels whom they knew to be guilty; to use every conceivable effort to destroy, knowingly to destroy, Dreyfus the martyr, and to save Esterhazy the traitor—and two other officers very nearly as base—from the just reward of their deeds.

That, through the two initial acts of cowardice, had become the doom of M. Méline, General Billot, M. Milliard, and their Government.

That, by the close of July, 1898, through M. Brisson's abject surrender to M. Cavaignac of the rights and duties of government, had also become the doom of M. Brisson himself, of M. Cavaignac, and of M. Sarrien.

As to the talk of the "Council of the Legion" about their "honour," etc., it seemed simply hypocritical, and was positively nauseating to all in other countries who were aware of the real facts. To all such persons it seemed that the most honourable thing which a French gentleman or officer could do, in August, 1898, was to fling away from him, with honest manly indignation, the Cross of the Legion of *dishonour*, and to incur the censure of a Council which, with M. Sully-Prudhomme the poet (I most most deeply regret to say) for chief supporter and defender, thought so highly of its "honour" that it removed the cross from the breast of Zola, while it deliberately left that cross on the breast of Esterhazy the traitor and swindler, Eiffel the thief,* Captain Bouïs, the proved perpetrator of indescribably disgusting crimes, and Commandant Apté, whose performances at Bordeaux, in connection with the case of the woman Marianne Laborde, were simply too absolutely sickening to put upon paper.

It is well worth noticing that at the trial of Commandant Apté and his fellow-criminal Lieutenant-Colonel Châtel (in 1881), the very same excuses were put forward by the officers' advocates which were made use of, throughout the Dreyfus case, by the

* This wearer of the Cross was mixed up in the Panama frauds, and stole more than twenty millions of francs. But this was an act, the Council said, "which did not affect the question of honour."

military and their defenders. The unhappy parents of the defiled and degraded children were actually reproached by the officers' lawyers for having brought their action "without a proper regard for what was due to the army." Commandant Apté's advocate (who was himself, naturally, an officer of the Legion of "Honour") exclaimed :

"Je suis de Metz. Cet officier supérieur est de Metz : quand on l'attaque, c'est notre ville toute entière qu'on attaque. .

"Au moment où nous sommes si fiers de notre vaillante armée, une accusation d'infamie viendrait l'atteindre !..."

There you have, in a nut-shell, the explanation of the whole of the Dreyfus case. Through some singular weakness, or want of common sense and perspicience, the French continually confound a few military malefactors with the whole of their admirable army, and allow a handful of unscrupulous and thoroughly base men, by intentially availing themselves of this misconception, to terrorise the whole of France. It is this which, with all respect to M. Cornély, the *bons messieurs les étrangers* realise so clearly, and which, in exact proportion to their sincere love of France, they protest against and deplore. Listen to what M. Henri Rochefort, speaking for once from his heart and in genuine accents, said on the occasion of the painful and terrible trial of Apté and Châtel in 1881 :

"Apté et Châtel ne se sont pas brûlé la cervelle parce qu'ils savaient, dès leur entrée en prison, que des efforts inouïs allaient être tentés dans toutes les branches du clergé, de l'armée et du gouvernement pour éviter le banc d'infamie à ces braves militaires qui peuvent écrire sur leurs cartes la formule célèbre : Breton, catholique et soldat."

That was written in Rochefort's better days, nearly twenty years before the Dreyfus scandal. But there is in it, just as in the above-quoted exclamation of Commandant Apté's counsel, the key to the whole of the Dreyfus scandal, and, indeed, almost the literal history of the Dreyfus scandal. Just as "all the branches of the clergy, the army and the Government" made "unheard of efforts" to save from justice the two unutterable scoundrels Apté and Châtel, just because they were officers and Catholics, so, in the same way, we saw "the clergy, the army and the Government" making "unheard of efforts" to save from justice, in the year 1898, the two rascals Esterhazy and Du Paty de Clam, for the very same reason; gathering, this time, sad to say, an added strength of motive and force of fanaticism from the fact that it had, by a singular concurrence of events, become possible to attribute the crimes and misdeeds of the two rascals to two honourable and innocent men, Captain Drèyfus and Colonel Picquart, the one a Jew and the other a ceaseless danger to the *Etat-Major*.

That is the truth of the matter, simply stated. Stated by whom? Oddly enough, by myself, M. Rochefort (implicitly, in the above extract), and M. Cornély. For on August 11th, 1898, M. Cornély wrote an article* in the *Figaro*, in which he most distinctly and explicitly admitted that the Government and the military party did not care a straw about Dreyfus, or the question of his guilt or innocence; that the true battle was being fought out on other lines altogether, and with other intentions; and that

* Entitled *Les Dessous*.

the real object of the opponents of the revision of the Dreyfus case was simply to defend a military caste, and to play the game of the Catholic clergy.

All this, as I say, M. Cornély frankly admitted : writing, be it remembered, as a staunch friend and supporter of the Government and the *Etat-Major*.

M. Cornély then went on to complain that strangers, in England and elsewhere, did not understand the matter, and misinterpreted those in France who were opposed to the revision.

Let M. Cornély be assured, once for all, that the "*bons messieurs les étrangers*," those of them who had studied the matter from the beginning, understood it perfectly, far better, in fact, than the thousands in France who had for years been fed only on the lies and calumnies of the *Libre Parole*, the *Petit Journal*, the *Jour*, the *Eclair*, etc.

Let M. Cornély be assured that if the *étrangers* had *not* previously understood the matter in all its terrible significance, his article of August 11th, 1898, would have fully interpreted it to them. For that article in effect most plainly admitted that—as the *étrangers* had long ago with honest grief perceived—the French Government, the French army, and the French clergy, were contending, as in the case of the scoundrels Apté and Châtel, contending for political, military, and religious reasons, for what they all of them in their hearts knew to be an injustice and a lie.

And yet M. Cornély wondered that the *étrangers* who loved France with a love almost as deep and passionate, in some instances, as that which they felt for their own lands, marvelled at her weakness and wept over her downfall.

LIV.

M. CAVAINAC'S COUSIN.

MATTERS now began to move a little more rapidly, and M. Zola's wisdom in retiring for a time to the forest of Rambouillet began to make itself more and more manifest. Step by step truth was advancing, terrible to the vast assemblage of weak or wicked men in France who had staked their very existence upon a carefully sustained system of scientific falsehood—terrible to these, but welcomed with the most profound and passionate joy by those, in every country, who had for long months been fighting, often almost without hope, on truth's side, and to ensure truth's triumph.

On Sunday, July 24th, 1898, came at last, in the *Siècle*, the outspoken and pitiless denunciation, by name, of Colonel du Paty de Clam as the accomplice of Esterhazy. All honest people who had followed the matter from the beginning, on reading it, lifted their hats and thanked God.

Slowly, but steadily, the immeasurable rascality of Paty de Clam, Colonel Henry, and their coadjutors at the War Office, began to dawn upon France—it had dawned upon Europe months before; as also the immeasurable imbecility of the superiors—General Mercier, General Gonse, General de Boisdeffre, General de Pellieux, General Billot—who had so long played into their hands with a blindness that was really criminal.

The denunciation in M. Yves Guyot's paper was printed in capitals, in the most prominent place. It was repeated for five days in succession, and was as follows :

"The Esterhazian journals are silent; but this tacit confession is not enough to satisfy the public conscience.

"Since it is necessary to give details, we give details.

"The accomplice in forgery of Esterhazy and of the girl Pays, is M. du Paty de Clam.

"The officer who warned Esterhazy, who betrayed, in order to save the traitor, the secret of the inquiry that was taking place, who gave Esterhazy information, who supplied him with documents, advised him, led him by the hand, is M. du Paty de Clam.

"The forger 'Speranza,' the 'veiled lady,' the inventor of so many criminal plots, some odious, others simply stupid, is M. du Paty de Clam.

"The inspirer of the 'Blanche' and 'Speranza' telegrams, the accomplice in these forgeries, is M. du Paty de Clam.

"The principal members of the Brisson Cabinet are perfectly aware of the facts we have just called attention to, and the principal members of the Méline Cabinet were also perfectly aware of them.

"We wait for a reply.

"Le Siècle."

On Monday, July 25th, Colonel Picquart deposed in the hands of M. Bertulus a direct *plainte* against Colonel du Paty de Clam as Esterhazy's accomplice in the above forgeries, and, generally, in the infamous conspiracy* designed to ruin Colonel Picquart, and to wreck his reputation.

A few days later the *Siècle* categorically affirmed that the secret document of 1896, which was produced in the tribune by M. Cavaignac on July 7th, as a convincing proof of the guilt of Captain Dreyfus, had been fabricated by a forger in the pay of Colonel du Paty de Clam.

Now Colonel du Paty de Clam was M. Cavaignac's cousin.

LV.

GABORIAU'S PUPIL.

ALLOW me now to sum up in a succinct form for readers who believe that sensational novels, such as those of Gaboriau, Du Boisgobey, Wilkie Collins, or Conan Doyle, are unreal and exaggerated,—allow me to sum up the results of the investigation into the matter of the forged letters and telegrams. The inquiry was conducted with great patience and keen

* See Section XIII, entitled "The Conspiracy against Colonel Picquart."

intelligence by M. Paul Bertulus, the magistrate who from the first had been in charge of the affair. He not only showed patience and intelligence, but, strange to say, —and how sad it is that we have to use the word “strange!”—he was one of the few French magistrates at this date who seem to have possessed ordinary honesty. Paul Bertulus will be remembered in history as having proved himself at a period of almost universal cowardice and compromise, beyond the reach either of bribery or intimidation. The pressmen—Drumont, Rochefort, Judet, and the rest—who were able, and knew very well that they were able, to bully Ministers like Méline, Billot, Milliard, Brisson, Cavaignac, were not able to bully the comparatively humble magistrate, Bertulus. Therefore, in pursuance of their usual system, they maligned and calumniated him, invented baseless legends about him, and did their very utmost to effect his ruin.

M. Bertulus arrived at some results of the greatest importance in the course of his minute inquiry into the connection of Esterhazy with the cousin of the Minister of War.

But it is necessary, first of all, to point out that even the skill and experience of M. Bertulus might have been at fault, had it not been for the really fortunate fact that Count Walsin Esterhazy could never resist the temptation to do a little quiet swindling, when opportunity offered. Therefore, in the year 1896, when asked by a country cousin, Count Christian Esterhazy, for some advice as to suitable methods of investing money, General de Pellieux's friend was equal to the occasion. He

wrote a series of most kind and affectionate letters * to his cousin and aunt (who was a widow, her husband having died in 1896). In these letters he invented a wonderful story—a fictitious narrative, from first to last—as to his intimacy with M. Edmond de Rothschild. He wrote to his cousin :

“ When I was at the *lycée Bonaparte*, I was the friend and companion of Edmond de Rothschild, with whom I have always been on the most intimate terms ; some years ago, in connection with matters relating to the *Libre Parole* and the Jews, being closely associated with Drumont and Morès, I intervened by acting as the second of Captain Crémieu-Foa, and also, before the Court of Assizes, as an expert in duelling, I made a deposition with reference to the duel between Captain Mayer and Morès, which rendered the Jews a real service. Edmond de Rothschild was exceedingly grateful to me, and, since that time, he has given me most useful assistance. It is by means of this assistance that I have on three occasions been able to be of use to your father, the only person in the world to whom I have breathed a word of the matter, not having told even my wife.

“ This relationship and this help, dear friend, I most heartily place them at your service (at the service of the widowed Madame Esterhazy and her son),—on the condition, of course, that I may rely upon your absolute discretion ? All that you say about stockbrokers, attorneys and money-lenders, is per-

* The *Jour* and other Esterhazian papers shed tears over the *tendresse*, the sweetness, the gentleness, of these letters. But they quite forgot to draw attention to the fact that the writer of them appears to have calmly pocketed his aunt's and his cousin's money.

fectly true. Your father one day trusted a broker, and got into a great mess."

It is easy to guess what followed. The country cousin and his mother fell into the trap, and were unwise enough to trust Commandant Walsin Esterhazy with the sum of 38,500 francs; to be invested, the Commandant told them, in an absolutely safe *opération*, * which was being conducted personally by the Commandant's intimate friend, M. Edmond de Rothschild. Walsin Esterhazy guaranteed his cousin and aunt a very pleasant and profitable *minimum* rate of interest, at 25 per cent, payable monthly; "that is to say," as Esterhazy went on to remark, with his fine natural sense of humour, "not 25 per cent every month, you will understand, but actually 2 and a fraction per month."

That was all very interesting and promising. The Bordeaux cousin and aunt were much pleased, and felt that they owed a great deal to their cousin in Paris, who understood business so much better than they did, and who had so generously placed the interest and influence of his old school-fellow, M. Edmond de Rothschild, at their disposal.

However, Count Walsin Esterhazy's part in the Dreyfus affair began to come out little by little, and the spirit of doubt at last effected a lodgment in the trusting hearts of the country cousin and his mother. They came to Paris, and, on inquiry at the Rothschild Bank, were informed that Count Walsin Esterhazy had no account there, and had never deposited any sum of money there in their name.

* "*Une opération de toute certitude et de toute tranquillité.*"

Country cousins, and country aunts, are naturally trustful. They are inclined to believe that their town cousins, and town nephews, know more of business—as is generally the case—than they do. They are also disinclined to believe that their town cousins, or nephews, will lie to them and rob them.

But, on the other hand, country cousins and aunts are not necessarily stupid or spiritless. When they once thoroughly understand that they have been shamefully deceived and fleeced, they are apt to get angry. Sometimes they even go so far as to seek redress.

So it turned out in this instance. Madame Esterhazy and Count Christian Esterhazy took proceedings against General de Pellieux's "cher commandant" for fraud and breach of trust, and it came to pass that one of the most valuable witnesses examined by M. Bertulus, in his inquiry into the relations that existed between Walsin Esterhazy and Paty de Clam, was Count Christian Esterhazy.

Christian Esterhazy's story, told on oath to the investigating magistrate, and supported by letters and by other witnesses also examined upon oath, was as follows.

He arrived, on Nov. 17th, 1897, at Esterhazy's house, in the Rue de la Bienfaisance. He was received there with the greatest warmth; like a son, according to the expression which Esterhazy himself made use of in his letters. He remained there five or six days, breakfasting and dining with his hosts.

One morning the Commandant said to him: "You know of my relationship to Madame Pays; I

should like to present you to her." And they started for 49, Rue de Douai, the extra-conjugal domicile. The interview was simple and cordial, and they all became great friends. The conversation, at first merely commonplace, afterwards took another turn. They began to speak of Du Paty de Clam.

Madame Pays said she had rendered the Colonel a number of services. She spoke of her almost daily meetings with him. It was she who served as intermediary between the Colonel and the Commandant. But she was afraid of being discovered. She said that Matthew Dreyfus, Colonel Picquart, and the Syndicate of treason, kept up an efficient spy system, through which her visits to Du Paty de Clam might be detected. Would not the little Bordeaux cousin help her, and second her in her mission? She explained what her mission was: it was to save Commandant Esterhazy, a perfectly innocent man, from the machinations directed against him.

Count Christian was not known in Paris. He would not attract the attention of the *mouchards*. He could, without any risk, wait in lonely spots, at the omnibus offices, to carry and receive letters. Esterhazy begged him, for family reasons, to assist them. Christian agreed.

That very day Madame Pays took the Commandant's cousin to meet Colonel du Paty de Clam, at 2 o'clock in the afternoon, at the omnibus office of the *Pont de l'Alma*.

I give the rest in M. Christian Esterhazy's own words, as spoken to M. Bertulus, and to the reporter of the *Siècle*:

“In fact, I had only arrived a few minutes when a gentleman, with a lady leaning on his arm, came to me. It was Colonel du Paty de Clam. He hastily whispered these words: ‘Be in front of house No. 8 of the Avenue Gabriel, this evening at six o’clock.’ Then he went on. I rejoined Madame Pays, who had remained on the *Pont de l’Alma*. I told her of the *rendezvous* fixed by the Colonel; and then, by different roads, she and I returned to the Rue de Douai, where the Commandant was awaiting us.

“I had come to Paris in the costume worn in the South of France; my clothes and over-coat were light in colour, in spite of the advanced season of the year. My cousin pointed out to me that if I wore an over-coat of that colour, the mystery in which we wished to shroud ourselves would soon be dispersed. There was not time to buy another over-coat, so the Commandant was good enough to lend me his.

“Exactly at six o’clock I was at the Avenue Gabriel. The Colonel Du Paty joined me there, and we entered into conversation. He explained to me the plot which was being carried on by what he called the ‘Syndicate of treason.’ ‘The Commandant,’ he went on, ‘is too open-handed, that is his chief fault. It is his imprudence which his enemies take advantage of. He has powerful enemies among the Jews, and that is why, in order to combat them, it is necessary to take all these precautions, and to select mysterious meeting-places which will throw our enemies off the scent. Not that I am in the slightest degree anxious as to the result of the duel

which is taking place between Esterhazy and the traitors' party.'

"I handed him the letter which the Commandant had entrusted to me. The Colonel entered a urinal, and read it by the light of a jet of gas. Then he returned to me, and gave me a closed letter for my cousin. This first interview lasted about half-an-hour.

"I jumped into a cab and went back to the Rue de Douai, where the Commandant was awaiting the Colonel's reply.

"After that, I saw Colonel du Paty de Clam almost every evening, and these meetings did not cease until the period immediately preceding the Court Martial.* On each occasion there was an exchange of letters.

"These meetings took place at various spots: Avenue Gabriel, at the Invalides, near the Hotel de Vogüé, at the corner of the Rue Fabert, in front of the military establishments on the Quai d'Orsay, at the Cours la Reine, opposite the Hotel du Palais, at the former stables of the Emperor, etc.

"Of my conversations with the Colonel I remember distinctly the following details. He assured me that General Billot, and the Prime Minister, M. Méline, had at first been favourably disposed towards the cause of Dreyfus, but that they had changed their minds, and that they were now determined to oppose with all their strength any attempt at the revision of the trial of 1894.

"The Colonel explained to me that our most dangerous opponent was the Lieutenant-Colonel Picquart.

* The Court Martial on Esterhazy, held in January, 1898.

Before all things it was necessary to unmask him, and to compel him to show his hand. But it was necessary to play carefully against him. That was why the Colonel, Madame Pays, and Esterhazy had laid for him the trap of the famous telegrams.

"They had in this way succeeded in compromising Picquart; but the Colonel Du Paty expressed to me his annoyance at all the fuss that had been made about the matter. The papers, in his opinion, had attached far too much importance to it.

"On the subject of the search that had been made, during Picquart's absence, at his rooms in the Rue Yvon-Villarceau, Du Paty told me that Colonel Picquart, before leaving the War Office, had had an oak safe constructed, of a very complicated mechanism, and containing several locks. This he had had placed, not in his own apartment, but in a servant's room in the house which he occupied, where it had been securely fastened to the wall. Colonel Picquart had there deposited, safe under lock and key, documents of the very highest importance, which he had removed from his office at the Ministry of War. Colonel du Paty de Clam had related these facts to Commandant Esterhazy, whom Colonel Picquart was pursuing with his hatred.

"When matters began to grow urgent, I was authorised to go to the house of Colonel du Paty, in the Avenue Bosquet, at any hour of the day or night, my part in the matter being at an end if I did not find him there. The last time I saw him was towards the close of December, about seven o'clock in the morning.

"The evening before the Commandant had had an

interview with the expert Belhomme. He had learned from the expert that the authenticity of the letters to Madame de Boulancy had been recognised, and stated in a report, while on the other hand the examination of the *bordereau* was favourable to him. Esterhazy was greatly annoyed at this judgment. He therefore charged me to impress upon M. du Paty de Clam that it was quite as important to him to be shielded in regard to these letters as in regard to the question of the *bordereau*. Ruined through the letters, or ruined through the *bordereau*, it came to the same thing, as far as he was concerned. The *Etat-Major* wanted to have a hold upon him, he was sure of it, by means of apocryphal letters; in order to hinder him from carrying out his announced intention of proceeding against the *Figaro** and the forgers. It was an abominable system of tactics, and most dishonouring, he said, to the General Staff, and with all his might he intended to protest against it...

"And then I had to take to Colonel du Paty de Clam the following *ultimatum*: If the Commandant is not cleared of all the charges against him, he will commit suicide; but, before doing so, he will make public all the correspondence exchanged between himself and Du Paty de Clam. The public will then be aware of the rôle played in the matter by Colonel du Paty de Clam, and will be able to form their opinion upon indisputable evidence.†

* The *Figaro* first published Esterhazy's letters to Madame de Boulancy. The *Figaro* started by a campaign on the side of truth, but the editor finding that truth did not pay and that it was becoming fashionable to "boycott" his journal, had recourse to misrepresentation—and M. Cornély!

† We see by this that it was Esterhazy himself who, through Du Paty de Clam, practically gave the "order" for his own acquittal.

“The Colonel du Paty, when I told him this, turned very pale, and flew into a violent rage. ‘It is an attempt to intimidate me!’ he exclaimed. ‘That is how I am rewarded for having been anxious to protect Esterhazy against the dangers which threaten him! I shall be, I who am perfectly innocent, the victim of my good nature! Very well: I shall go this very moment, throw myself at the feet of the Minister of War and my chiefs, and give them an exact and complete account of my relations with Esterhazy.’

“Upon these words we quitted each other, and I have not seen the Colonel since. The scene I have been describing lasted about two hours.

“I ought to say that, as to the Dreyfus affair, I was only in possession, at the time of my arrival at the Commandant's, of the somewhat conflicting information given by the newspapers. I was very curious to learn more about the matter. But the Commandant, whom I often questioned on the subject, did not seem disposed to place his knowledge at my service. When asked about the *bordereau*, he always managed to change the subject, and never replied to a direct question. He, however, confided to me that it was really he who wrote, under the advice of Du Paty de Clam, and with the help of documents supplied by that officer, the articles signed *Dixi* which appeared in the *Libre Parole* of Nov. 15th, 16th, and 17th, 1897, and I am therefore able to confirm what has been said on the subject of those articles. The Commandant had a number of friends upon the staff of the *Libre Parole*. It was notorious

that he was a constant visitor at the office of that paper. For that very reason he would have preferred that his articles should appear somewhere else, in order to leave their origin in greater mystery. But, as he had no other journal at his disposition, he instructed Madame Pays to call upon *Père Bailly*, the editor of the *Croix*, to show him the first article and to try to obtain its insertion, also exacting from the editor a promise of silence about the matter, if the article was refused. *Père Bailly* would not accept the anonymous article, and the Commandant, having thus no other course open to him, again took his road to the office of the *Libre Parole*."

In regard to the false telegrams signed *Blanche* and *Speranza*, M. Christian Esterhazy made the following statement :

"The Commandant has often spoken to me of these telegrams, and also Du Paty. It was with the view of compromising Picquart, they told me, and of hunting him down, that they hit upon the idea. Two telegrams were sent to him by the advice of Du Paty de Clam. The first, the *Speranza* telegram, was dictated by the Colonel, written by Madame Pays, and posted by Commandant Esterhazy. But, in the course of the same day, Colonel du Paty de Clam confided to Commandant Esterhazy his fear that the telegram they had despatched might not arrive at its destination owing to a mistake in the spelling of Colonel Picquart's name, which he had discovered too late, on consulting the Army List. They had forgotten to insert the

c.* And, as it was necessary to follow the thing up, and not to abandon the undertaking for so slight a cause, it was decided to despatch a second telegram. Colonel du Paty de Clam wrote it, or dictated it—my recollections here are somewhat less precise—and the Commandant sent it. It was signed *Blanche*.†

Count Christian Esterhazy then went on to the history—this time the true history—of the *dame voilée*.

“It was I,” Count Christian admitted, “who wrote the letters attributed to the ‘veiled lady,’ and in which certain officers of the *Etat-Major* believed, or pretended to believe. It was I who fabricated, after the event, the two letters of *rendez-vous* which

*Colonel Picquart’s name was misspelt in the very same way—*Piquart* instead of *Picquart*—on the envelope of the letter from Esterhazy himself to Colonel Picquart, which the latter officer received almost at the same time as the *Speranza* and *Blanche* telegrams.

More than this : the letter from Esterhazy himself was wrongly addressed ; to *Tunis*, instead of to *Sousse* (Susa), where Colonel Picquart was actually quartered at the time. The *Speranza* telegram was also wrongly addressed to *Tunis*.

The *Blanche* telegram, revised by Colonel du Paty de Clam, and containing a reference to the *petit bleu* which could only have been inserted owing to suggestions made by Du Paty, was addressed correctly ; to Colonel *Picquart* at *Sousse*.

†This, it will be remembered, was the Christian name of the Countess de Comminges, Colonel Picquart’s old friend. Colonel du Paty de Clam couched his telegram in carefully chosen compromising language, and then signed it with this lady’s name, with the base and dishonourable purpose of ruining Colonel Picquart, by making it appear that the latter was engaged in a plot. To what a large extent Colonel du Paty de Clam succeeded in his nefarious designs owing to the tacit connivance or active assistance of general officers almost as base as himself, is now matter of history.

Colonel du Paty de Clam knew that copies of the telegrams he and Esterhazy were despatching, would be duly transmitted by the *Administration des postes et télégraphes* to the Minister of War.

Forgeries of this kind, fabricated with a direct view to discrediting and injuring another person are, by French law, punishable with *travaux forcés*. Colonel du Paty de Clam, when detected by M. Bertulus, would undoubtedly have been so punished, had not Du Paty’s cousin, Cavaignac the Intrepid, snatched him away from justice by inducing M. Feuilloley, the servile Procureur of the Republic, in violation of all law and precedent, to declare M. Bertulus “incompetent.”

promised the delivery of a valuable document, by means of which Commandant Esterhazy would be able to set his enemies at defiance.

"This is how it happened.

"I was at the time staying at Madame Pays' house in the Rue de Douai. General de Pellieux was pursuing his inquiry. The General had asked my cousin to hand over to him the letters of the 'veiled lady.' The Commandant, who had invented the story in order to explain how he came into possession of the secret document, * told M. de Pellieux that he would bring them to him the next morning, when he appeared before the Court of Inquiry. It therefore became necessary to produce *something*. So the Commandant told me to write down for him, in characters like those of printing, a letter which he proceeded to dictate to me. He dictated two. The second ran, almost literally, as follows: 'This evening, at six o'clock, Rue Saint-Elleuthère, at the corner of the old Church of Montmartre. Take care that you are not followed.' The other, couched in very similar terms, appointed a meeting at the Pont Alexandre III. † These letters were intended to be put into the hands of General de Pellieux.‡

* The *document libérateur*.

† The Bridge bearing the name of Alexander the Third of Russia, was in course of construction at this time, and was, in the evening, a secluded and lonely spot-

‡ They were put into the hands of General de Pellieux, and were by him handed over to General de Luxer, who presided at the sham Court Martial held upon Esterhazy in the month of January, 1898. After that these invaluable letters—like the equally invaluable letters of General Gonse to Colonel Picquart (see page 60)—disappeared. General de Luxer has capacious pockets, and a keen sense of what constitutes dangerous evidence. It is easy to see that, had there been the slightest doubt as to the substantial truth of the above narrative of Count Christian Esterhazy, the Government would have leaped at the chance of discrediting it by producing the letters in question and proving that they could *not* have been written by Count Christian. Beyond doubt, he was telling the truth. He did write the veiled lady's "letters.

“Esterhazy showed them to him. General de Pellieux advised him to go to the *rendez-vous* of the Rue Saint-Elleuthère. But Esterhazy managed to get out of this unforeseen difficulty by persuading the General that it would be a journey wasted, for, as she was followed step by step by the agents of Matthew Dreyfus, the *dame voilée* would certainly not venture to show herself.

“As to the *document libérateur*, that belongs to a period a little antecedent to that of which I am speaking. I had not then arrived in Paris. It was on the 14th of November (1897), after his deposition before the Court Martial, that Commandant Esterhazy took back the document to the War Office. It had been given to him by Du Paty de Clam. I received the following information on the subject from the Commandant himself:

“‘The Colonel,’ so my cousin stated, ‘appointed a *rendez-vous*, for Madame Pays and myself, at the *Invalides*. He was of opinion that the moment had come to arm me with the proof which would conspicuously establish my innocence.’

“Esterhazy, thoroughly satisfied as to the complicity of Du Paty de Clam, began to breathe more freely and to pluck up courage. He wrote to several military personages to claim their protection, and he sent a petition to the President of the Republic.

“At last, Colonel du Paty put his plan into execution. The interview took place at a late hour of the evening. The three persons in question were present. The Colonel held out a folded paper to Esterhazy. He told him what it contained, but forbade his opening it, and instructed him to take it straight to the War Office.

"Esterhazy did as he was instructed. He took leave of the Colonel and Madame Pays, and went in a cab to the Rue St. Dominique. He was too late. The gate was closed, and the *concierger* had gone to bed. The Commandant dropped the document into the letter-box at the War Office, and it was delivered the next morning to the officers on duty there. Then he went back to the Rue de Douai.

"The Commandant was not aware of the exact text of this document, for, at his examination before General de Pellieux, he was not able to state the phrase by which it commenced."

It is well always to bear in mind that the key which unlocks the mysteries of a story of almost unprecedented treachery and duplicity, is the following fact, or series of facts :

1. Esterhazy's game, throughout the matter, was to attribute, almost literally, his own crimes and misdoings to Captain Dreyfus.

2. Colonel du Paty de Clain's game, throughout the matter, was to attribute, almost literally, his own crimes and misdoings to Colonel Picquart.

3. Most unfortunately for France, the villains in the story (which would have furnished matter for six novels of Gaboriau's, rolled into one), were, [from the very first, supported [and defended, with desperate tenacity and complete lack of conscience, by the responsible ministers who comprised successive French Governments, and also by the responsible military chiefs.

4. Most unfortunately for France, the honest people in the story, who, had they been permitted,

could and would have made the whole truth evident, were, from the very first, opposed and hindered, with criminal obstinacy and complete lack of conscience, by the responsible ministers who comprised successive French Governments, and also by the responsible military chiefs.

If the above lamentable facts be constantly borne in mind, it will become more easy to follow the windings and ramifications of a story which, by the middle of August, 1898, had become so intricate that most English readers had begun to get somewhat confused. Especially remember in regard to points 1 and 2 of the above, that it had by this time become a pretty safe matter of inference that, if Esterhazy and Colonel Paty de Clam brought any particular charges against any person or persons, they had themselves been guilty of the identical very deeds of which they accused others. Throughout the matter, the minds of Esterhazy and his accomplice Du Paty, with their singular malignant cunning but entire absence of any real genius, moved only in one groove, and, when their method of action was once discovered, it became almost possible to predict what course they would take, or to surmise what course they had taken, upon any given occasion. For, when Esterhazy and M. Cavaignac's worthy cousin were pressed hard, their very first instinct was invariably—the thing has been proved with iron logic—to send off a forged letter or telegram, or to forge a document, with the express view of palming off so to speak, upon some entirely innocent and honourable person, the very crime or falsehood of which they at that moment stood in danger of being specially and categorically accused.

M. Du Paty de Clam's system was evidently founded upon a patient and continuous study, not of the *manuel de tir* or of any other military work, but simply of Gaboriau's novels. He was, in a specific and most pointed sense, Gaboriau's pupil.

Thus, the idea of lending Esterhazy the *document libérateur* was evidently suggested by the fact that, from the very first, it was absolutely necessary that in some way the tables should be turned; that the accuser Colonel Picquart should be himself accused, and that, if possible, it should be made to appear that he had stolen, or wrongly removed, documents from the War Office—documents to which he had confidential access in his capacity of Head of the Intelligence Department.

But General de Pellieux, contrary to his manifest hope and expectation, was not able to find a single document, or photograph of a document, improperly present at Colonel Picquart's rooms; in the course of the totally illegal search which he, Pellieux, conducted at Colonel Picquart's residence, during the absence of that officer in Africa, in November, 1897.

Therefore, immediately upon the failure of this search, we have the trump card played. In the absence of any real evidence, it became necessary to manufacture some, and the *document libérateur*—that is, one of the photographs of the *canaille de D...* letter—was, as we have seen, handed to Esterhazy by Colonel du Paty de Clam (posing as the *dame voilée*), with instructions to him to return it to the War Office, and to circulate a narrative to the effect that it had been brought to him by Colonel Picquart's

angry mistress, and was a direct proof that Colonel Picquart had stolen, or misapplied, secret documents entrusted to his charge.

We know how well Esterhazy carried out his lesson—and how shamelessly Commandant Ravary supported him, “by order,” in the statement in the “Act of Accusation” at Esterhazy’s Court Martial, in which he, Ravary, refers to the *document libérateur*, and, by the usual method of cunning *innuendo* employed by the military authorities throughout this matter, seeks to implicate Colonel Picquart in the theft, or misuse of the document.

As early as November 15th, 1897, Drumont began in the *Libre Parole* to lead up to the story of the *dame voilée*—as silly and odious as all his, Du Paty de Clam’s and Esterhazy’s inventions—and, as mentioned above, we find it naturally adopted by the War Office, and endorsed by Commandant Ravary in his report. Colonel Henry was instructed to give evidence supporting it at Zola’s first trial.

The actual narrative drawn up by Gaboriau’s pupil was that Colonel Picquart’s mistress (who of course has never been named, or produced) one night heard the Colonel talking in his sleep. She listened, and the sleeper incautiously revealed to the astonished woman the particulars of his plot against the innocent lamb, Esterhazy. Soon after this, the lady—so ran the narrative—had a serious quarrel with her lover, Colonel Picquart. To revenge herself upon him, and out of sympathy for the innocent lamb he was wronging, she went to Commandant Esterhazy, and revealed the whole plot to him; bringing with

her (at this point she became the *dame voilée*) the *document libérateur*, in proof of the truth of her story; this document having thus, according to the legend, been first stolen from the War Office by Colonel Picquart, and then again stolen from Colonel Picquart, for Esterhazy's sake, by the lady!

When one reads a narrative like this, one is inclined to wonder, for a moment, whether Colonel du Paty de Clam, the inventor of it, is not, after all, more of a madman than a scoundrel.

But the story, incredible as it may seem, was actually vouched for as correct by Drumont and the Esterhazian editors, and made use of, as a weapon against the one officer they dreaded, Colonel Picquart, by generals presumably intelligent and counted as sane.

As to the ethics of the matter, the *Jour* and the Esterhazian journals made light of the whole thing, and pretended that the affair was nothing but a harmless hoax—another instance of the high morality of the defenders of the Government. “Even if Colonel du Paty de Clam *did* send, or assist in sending, the false telegrams, where was the harm?” they said. “It was only another proof of the sentimental turn of his character, and of his chivalrous ardour in upholding the cause of the oppressed [the lamb, Esterhazy]. If the Colonel had, perhaps, gone a little too far in his eagerness to assist an officer whom he believed to be wrongly accused, and if that officer had turned out to be somewhat less worthy than the Colonel at first supposed, that only showed that Du Paty was even more charmingly ‘*romanesque*’ than his best friends had imagined.”

That was the defence ; that was the best that could be alleged in excuse of the singular behaviour of Gaboriau's pupil and Cavaignac's cousin. But the irrepressible *étrangers*, whose opinion, as we have seen, had so troubled the soul of M. Cornély, formed a very different judgment. To them it seemed that, even if Colonel du Paty de Clam had not actively assisted Esterhazy in his previous treasonable practices in connection with Colonel Schwartzkoppen—as now began to appear only too probable—he must at any rate have known perfectly well, at the time when he conspired along with Esterhazy against Colonel Picquart, that he was conspiring along with a treacherous villain against a perfectly innocent and honest man. I—if I may speak for myself, as one of the *étrangers*—cannot imagine a more dastardly and cowardly action than this attempt of Colonel du Paty's, in alliance with a known traitor to France, to obtain, as for a season he did obtain, the disgrace and ruin of an upright and generous brother officer.

Indeed, while anxious to guard against any over-violence of thought or expression, one cannot help feeling that if the two unspeakable rascals and fellow-conspirators, Colonel du Paty de Clam and Commandant Esterhazy, could have been led out and shot, it would have been the best possible thing for France and the French army. For, be it remembered, Colonel du Paty de Clam, while assisting Esterhazy in the deliberate and most malignant attempt to destroy Colonel Picquart in the autumn of 1897, knew all about the discovery of the *petit bleu*, and what that discovery involved. In other

words, Colonel du Paty de Clam knew that he was assisting a traitor to France to escape from justice ; assisting to keep an innocent brother officer (Captain Dreyfus) in penal servitude ; and assisting to wreck the reputation and ruin the career of another innocent and honourable brother officer (Colonel Picquart). This is saying a good deal. But to say a word less than this, would be saying less than the truth.

LVI.

PAUL BERTULUS, AND THE "CHAMBER OF KNAVES."

ON July 28th, 1898, M. Paul Bertulus rendered an *ordonnance* which will be remembered in history. By it, M. Bertulus, the otherwise not very conspicuous *juge d'instruction*, won for himself immortality : and also, at the time, the respect and the praises of all just men, the insults and the curses of all liars.

For in this remarkable *ordonnance* M. Paul Bertulus stated in the clearest language what was obviously the truth. He stated that he had come to the conclusion, after most careful and prolonged inquiry, that forgeries, forgeries from the legal and technical point of view, had been committed. For these forgeries he held three persons morally and legally responsible : Colonel du Paty de Clam, Commandant Esterhazy, and the girl Pays.

M. Bertulus would not express a definite opinion, "at that stage of the inquiry," as to the authorship of the forged *Speranza* letter of December 15th, 1896. But it was evident that he looked upon it as principally the work of Colonel du Paty de Clam.

The forged *Blanche* telegram of November 10th, 1897, M. Bertulus attributed wholly to Colonel du Paty de Clam.

The forged *Speranza* telegram of November 10th, 1897, M. Bertulus attributed to the three conspirators—Colonel du Paty de Clam, Esterhazy, and Marguerite Pays—working in combination.

It will be remembered that the word "*Demi-Dieu*" was introduced by the forgers into this telegram. They took the word from the genuine letter written in November, 1896, by M. Germain Ducasse, Colonel Picquart's secretary, to Colonel Picquart, and simply signed "G."

This letter was opened at the War Office during Colonel Picquart's absence in Africa, and then sent on to him.* Colonel du Paty de Clam, who suggested the interpolation of this name "*Demi-Dieu*" in the telegram which he and Esterhazy were fabricating, thought that it referred to Scheurer-Kestner, and intended to suggest that Colonel Picquart was conspiring with Scheurer-Kestner and the "Dreyfusards." As a matter of fact, the nick-name of "*Demi-Dieu*" was applied, in the circle of the Countess de Comminges, to a perfectly honourable officer, Commandant Lallemand.† This officer was an orderly of General des Garets, and was outside the matter altogether. Gaboriau's pupil over-shot the mark.

* See Section XIII.

† Colonel Picquart was himself known as "*le bon Dieu*."

In regard to the *Blanche* telegram, as it was the work of Colonel du Paty de Clam, M. Bertulus held that he was not competent to continue the inquiry, and that the Colonel should be brought before a military court.

In regard to the *Speranza* telegram, as it was the work of the girl Pays, assisted by Esterhazy and Colonel du Paty de Clam, M. Bertulus held that he was competent to continue and conclude the inquiry, and that all three conspirators should be brought before an Assize Court.

This perfectly sound and just decision of Paul Bertulus placed the Minister of War and his cousin the forger in an awkward position. They had dreaded the decision, and had taken steps to prevent M. Bertulus from arriving at it. First of all, M. Feuilleley, the Procureur of the Republic, acting under M. Cavaignac's instructions, had tried to "class" Colonel Picquart's *plainte*; that is, simply to put it on the shelf as settled and done with. But even M. Feuilleley, though, as the sequel proved, he was perfectly willing to violate the law in order to please M. Cavaignac, was not quite equal to this summary proceeding. The evidence against the Minister's cousin was too strong.

The next step M. Feuilleley took was to endeavour to intimidate M. Bertulus, and to induce this magistrate to declare himself incompetent. But Paul Bertulus knew very well that he *was* legally competent, and was not afraid—strange to say—either of M. Feuilleley the tool, or of M. Cavaignac the master. Therefore he obstinately

continued the inquiry, and on July 28th issued the *ordonnance* I have referred to.

The *ordonnance* once issued, there was nothing left for Feuilleley and Cavaignac but to annul, or evade it. It was perfectly clear that it would never do to bring the Minister's cousin before a jury on a charge of forgery and conspiracy. Neither would it do to follow M. Paul de Cassagnac's advice, and to let Colonel du Paty de Clam bring an action against the *Siècle*, the *Rappel*, the *Aurore*, the *Petite République*, and other Republican journals, for libel. Such an action would mean the free examination of a number of most dangerous witnesses, and such an examination would mean the still further lifting of the veil of darkness which it was the one object of Cavaignac and the *Etat-Major* to fling over the crimes connected with the Dreyfus case. Such an unimpeded examination of witnesses in an Assize Court would also certainly mean the conviction of M. Cavaignac's cousin for fabricating and using forged documents, and for assisting in a most dishonourable and disgraceful conspiracy.

Therefore, at any cost, M. Feuilleley, the Procureur of the Republic, was instructed to find some way of baffling the annoying and unaccountably persistent honesty of Paul Bertulus.

Before I explain how this was done, let me point out the actual barrier of law which had to be cut through, in order to allow of the triumphal exit of M. Cavaignac's worthy cousin.

First of all, there is very little doubt that M. Bertulus underrated his own authority, and that he was in reality legally "compétent" in regard to

both forged telegrams. Article 227 of the *Code d'instruction criminelle* is absolutely clear as to what constitutes *connexité* in these cases, and there was the most glaring and obvious connexion between the proceedings of the accused persons in regard to each of the telegrams despatched.

However, to avoid what Procureur Général Bertrand called the *mâquis** of procedure, let us for the moment dismiss that point. The more important, and the wholly certain point is that article 76 of the *Code militaire* rendered all three of the conspirators who fabricated the *Speranza* telegram liable to be tried before a Civil Court.

The article runs as follows :

"Lorsque la poursuite d'un crime, d'un delit ou d'une contravention comprend des individus non justiciables des tribunaux militaires et des militaires ou autres individus justiciables de ces tribunaux, tous les prévenus indistinctement sont traduits devant les tribunaux ordinaires."

It is an unfortunate thing for M. Cavaignac that this article exists, and that it is so clear that even the *étrangers* (with all due respect to M. Cornély !) can understand it, and can infer from it the extreme state of terror in behalf of his cousin to which the Minister must have been reduced, before he instructed the Procureur of the Republic shamelessly to traverse so direct and explicit a legal order.

There is absolutely no question about it. The girl Pays, as a civilian, rendered her two military

*This is a Corsican word, and is applied to the thick Corsican bush or undergrowth of shrubs ; what in Australia is called the "scrub," in Mexico the *chapparal*.

accomplices subject to the civil jurisdiction. M. Bertulus was, undeniably, both legally and morally right. The telegrams *were* forgeries, despatched with direct intent to injure; M. Bertulus *was* competent as regards, at the least, one of the two; and the three conspirators *were*, all of them, amenable to the ordinary law, and should have been tried in an Assize Court. This was what M. Paul de Cassagnac desired. M. de Cassagnac, though a truculent Bonapartist, is, in his way, a just man, * and he clearly saw and frankly said † that the Government would be acting with the maddest folly if it sought to abstract Colonel du Paty de Clam from the civil justice. "Bring him and Esterhazy before a jury," Paul de Cassagnac said, "and let them either prove their innocence, or, if unable to do so, let them, even at this late hour, be turned out of the army, no matter who their friends or accomplices may be. It is no longer tolerable that the Government should neither know how to make the innocence of guiltless officers unmistakeably manifest, nor how to punish the guilty."

However, the Government *did* act in the very way M. Paul de Cassagnac so earnestly deprecated. And, in so doing, it afforded the very best proof that M. Bertulus was right, and that the accused persons were guilty. For the *Chambre des mises en accusation*, ‡ to which Cavaignac and Feuilleux piteously appealed for help, found not a single word

* See Sections VII and VIII.

† In the *Autorité*.

‡ Consisting of MM. Cazes (President), Corentin Guyhot, Villers, Wendling, and De Vaulx d'Ady, with M. Blondel as Advocate-General.

of defence for the *trio* of conspirators, and not a single argument. There was, in fact, no defence possible; and no arguments were available. The only thing to do was, without a word of justification or apology, to take a huge brush, dip it in a huge pail of whitewash, and pass it over the three accused persons, till they emerged from the process white as doves,—or as lepers. For it must be remembered that lepers also are sometimes "as white as snow."

This, therefore, the "Chamber of Knaves" did. They first decided—in flat violation of the law—that civil magistrates were not competent to try Colonel du Paty de Clam, and then, as civil magistrates, proceeded to acquit him. They were in no case competent to go into the *fond* of the matter, * for they were acting merely as a Chamber of Appeal. They therefore went into the actual matter itself, apart from the questions of appeal set before them, and adjudicated upon it; thus committing another illegality, resembling that of the new informal trial, and new informal condemnation, of Dreyfus, by the wholly incompetent Chamber of Deputies, presided over by Cavaignac the Intrepid, on July 7th. They (the "Chamber of Knaves") exercised a power as arbitrary as that of the old Venetian "Council of Ten," and performed their functions in as profound a silence. In the twenty-eighth year of the Third French Republic, with a view to saving from justly deserved punishment the cousin of the Minister of War and certain scoundrels belonging to the *Etat-Major*, a judicial crime was committed and sanctioned, which could not have been committed or sanctioned

* As M. Trarieux, the former Minister of Justice, clearly pointed out.

even under the Empire. For Napoleon the Third though he came to the throne by a terrible crime, was possessed of not a little common sense, and he, at any rate, always strove to keep up appearances. He also knew the importance of retaining, or endeavouring to retain, the respect of other countries. But the *Chambre des mises en accusation* had no concern for keeping up appearances, and did not care a fig for the respect of other countries. They were mindful of what M. Cavaignac said in the tribune on July 7th: "We intend to manage our own affairs in our own way." They *did* manage their affairs "in their own way," and their "way" was to deliver two secret *arrêts*, one on August 5th, the other, a week later, on August 12th. By the first of these they declared, without trial, statement of reasons, or examination of witnesses, that M. Cavaignac's cousin was wholly guiltless, and even admirable.

By the second they declared, without trial, statement of reasons, or examination of witnesses, that Esterhazy and his mistress were wholly guiltless, and were at once to be set at liberty.

Since the period of the Revolution, France had probably never witnessed a more flagrantly illegal and shameless action on the part of responsible magistrates.

If possible, even more disgraceful was the conduct of M. Cavaignac, M. Sarrien, and the Government, in allowing the law to be tortured and evaded, with the view of saving Esterhazy and his accomplices.

But saddest and most surprising of all was the passive acquiescence and the selfish *inertia* of the majority of the public.

On August 12th, 1898, Esterhazy and Marguerite Pays—better known at the *Moulin Rouge* as Marguerite *quatre doigts*—were released from prison. Deputies, ministers, voters, clergy, generals, editors, all, with only the few valiant and unconquerable exceptions whose names will go down to history, were grovelling, in absolutely unprecedented ignominy, beneath the feet of the traitor as to whose performances Germany had actually offered to enlighten the French Government “if confidentially interrogated.”

The number and magnitude of the secret misdeeds of ministers and *Etat-Major* may be inferred from their abject manifest terror lest the commandant should make up his mind to speak and denounce them.

On August 12th, Esterhazy the traitor stood triumphant, with the conquered flag of the army in his hand, the bitterest hatred against that army in his heart, and his foot upon France.

LVII.

THE CROWNING INIQUITY.

IN order to understand what was the precise situation in France at this point in history, it is expedient to remember that everything was proceeding by an exactly inverse method. Roughly stated, the object of the governing men in France was simply

this : to keep an innocent man a prisoner, and to allow a guilty man to remain at liberty. Starting from this unsound major premiss, all consequences naturally became completely vitiated. In order to retain the one innocent man in iron custody, and allow the one guilty man to escape, it became necessary to punish other innocent persons, and to wink at or connive at the misdeeds of other guilty persons. The whole chain of events became linked together in a pitiless *engrenage*, and crime gave birth to crime. It became necessary, with an inexorable logic, to support one falsehood by a dozen following falsehoods ; to suppress witnesses of truth, and to call witnesses who were only too willing to perjure themselves ; to falsify documents, and, if required, to forge fresh ones ; to misquote conversations and distort narratives ; to prosecute and imprison honourable men, and to acquit scoundrels in the face of the most convincing and unimpeachable evidence ; to produce the most ridiculous documents as proofs, and to insult the common-sense of France by pretending to believe that these proofs were adequate ; to subsidise such men as Rochefort, Drumont, and Judet, and to employ them in sowing the most impudent falsehoods throughout the country daily, in journals that circulated by many millions of copies ; systematically to poison the minds of the public, and by every conceivable means to prejudice them against those who were fighting heroically for truth and justice ; to violate law after law, and commit irregularity after irregularity ; to cajole or coerce French judges and magistrates into becoming the most useful allies of the guilty, and the deadliest enemies of the innocent.

That is an exactly true statement of the course which the Government of M. Brisson, and the military authorities—or perhaps I ought to say the Government of M. Brisson, under the heel of the military authorities—were taking in August, 1898.

Lest any English reader should think that I have been drawing an over-gloomy picture, let me here quote the letter of M. Hyacinthe Loyson, which appeared in the *Siècle* of August 17th. Along with the letter of M. Maurice Bouchor the poet, it deserves to be remembered.

The mere fact that it should have been possible for an honest Frenchman to write such a letter, in itself testifies to the utterly abnormal and phenomenal condition of France.

M. Hyacinthe Loyson wrote :

“ Neuilly, near Paris, August 15th, 1898.

“ Sir,

“ I am heart and soul with those who, to use an admirable expression of M. Buisson’s, are pulling against one of the blindest but most formidable currents of opinion which have ever carried away a country.

“ The disaster which has just occurred to Spain is simply nothing by the side of that which has happened to France. Spain has fallen gloriously, France has fallen with the loss of her honour. Spain is mutilated merely in respect of her colonies, but it is the soul of France that is mutilated, and moreover the noblest portion of that soul, the sense of justice, of truth, of humanity.

The *grande nation*, the nation we believed to be

intelligent and generous beyond all other nations, to-day permits itself to be governed by the writers of the *Patrie* and the *Petit Journal*, of the *Libre Parole* and the *Intransigeant*.

"How is it we have fallen so low? Through the complicity of madmen and rogues, of fools and cowards, and through the invasion of the clerical and military *démagogie*, which has found its readiest tool in the ministry of M. Brisson and of M. Bourgeois.

"Even the Prussians did France far less harm.

"If these men were to carry everything before them, if the clerical Republic of which for years I have predicted the approach, were indeed, by a supreme irony to become the last word of the Revolution of 1789, which in that case would be a definite and ignominious failure, all Frenchmen worthy of the name would quit a country where the rights of men and citizens had become an empty word.

"We should not cease to be Frenchmen, but France would have ceased to be France.

"Danton was right: one does not carry away one's country on the soles of one's shoes, but, when the soil of that country is profaned, when her institutions are destroyed or falsified, when her ideal is repudiated, one *does* take away with one that immortal ideal, and one bears it into an exile from which it will return victorious.

"Hyacinthe Loyson."

In pursuance of the obstinately inverse method to which I have made allusion, it of course became

necessary for Colonel Henry and Colonel du Paty de Clam to father their own misdeeds upon Colonel Picquart, the discoverer and denouncer of those misdeeds; and, secondarily, necessary for the military authorities and the Government unblushingly to support these men's lies and calumnies. It is a terrible thing when a Government is absolutely forced, through the logical compulsion of its own acts, to defend evil-doers, and to persecute the just.

However, I am thankful to say that, on August 17th, M. Georges Clemenceau had the courage to speak out, and to denounce publicly the abominable plot for Colonel Picquart's assassination, which was devised, and nearly carried out, in 1896, by that officer's chiefs. It will be remembered that, at Zola's first trial, General Gonse was highly indignant at the suggestion that Colonel Picquart had been despatched, with a dozen horsemen, along the lonely and dangerous Gabès route (on which Commandant Morès met his death), with the distinct secret hope that the truth-seeking Colonel would perish, and the truth along with him, in the African desert. It was certainly natural that General Gonse should make a show of indignation, for it is not a customary, or wholly honourable thing for commanding officers to endeavour to get their subalterns murdered, when these latter happen, unfortunately, to differ in opinion from their chiefs. However, M. Clemenceau was, unluckily for General Gonse, able to show conclusively, that there had been a deliberate attempt on the part of the authorities, to get rid of Colonel Picquart, and to silence truth audible through him, once for all. For M. Clemenceau boldly, but, as I

hold, with absolute justification, published in the *Aurore* of August 17th, 1898, the very words which General Billot, Minister of War at the time of the despatch of Colonel Picquart to Africa, used to *him*, Clemenceau, through the medium of a superior officer whose name can be given, shortly after the appearance of Zola's article, *J'accuse*. M. Clemenceau, at the time mentioned the matter, and quoted the words, confidentially, to several of his intimate friends. But those who know anything of M. Georges Clemenceau will feel instantly certain that his memory is too accurate, and his sense of honour too keen, to permit him to make the slightest mistake in such a matter.

The following, therefore, was undoubtedly the message sent by General Billot, through a staff officer, to M. Clemenceau :

1. That General Billot, on his honour, believed Dreyfus to be guilty.

2. That, in the matter of the trial of Dreyfus, General Mercier had done some foolish things.

3. That he, Billot, would have acted quite differently, and would have managed to get rid of Dreyfus by sending him to some place from which he would never have returned.

4. (Here followed an observation of General Billot's relating to the national defence, which M. Clemenceau did not publish.)

5. That General Billot hoped that M. Clemenceau would lend him a hand in settling matters once for all with the Jews.

M. Clemenceau gives his absolute word of honour that the above quotation of General Billot's message is literally correct, and, as I have said, all who know anything of M. Georges Clemenceau will be sure that he is telling the truth. As to General Billot, he has been so often convicted of falsehood that any denial of his would be worthless. The word of a General who gets up and, in the tribune, four times in succession or oftener, states that "Dreyfus has been *legally* condemned," knowing perfectly well that this is not the case, the word of such a General is almost ridiculously valueless.

It is therefore certain, as a matter of history, that the apparently perfectly meaningless order given to Colonel Picquart to travel, almost alone, in the direction of Gabès, had, in fact, a very definite and a very sinister meaning. Had it not been for the generous interference of General Leclerc in Africa, who saw through and countermanded the order, it is very probable that the devices of Colonel Picquart's enemies might have succeeded, and the truth of the Dreyfus affair might really have been buried with him under the sands of the African desert. What General Billot told M. Clemenceau that he "*would* have done" in the case of Dreyfus, he, in the case of Colonel Picquart, as far as the moral responsibility goes, actually *did*.

The narration of this significant episode will have

prepared the reader for the extremes to which the conspirators, and their friends Brisson,* Sarrien, and Cavaignac, were ready to go, in regard to Colonel Picquart, when they had him safe under lock and key, Esterhazy the traitor and Du Paty de Clam the forger having been released from custody, in the latter part of August, 1898.

The charges against Lieutenant-Colonel Picquart may be summed up under two heads. There was, first of all, an accusation against him of having communicated the letters of his chief, General Gonse, to his old friend and legal adviser, Maître Leblois; and also an accusation of having communicated to Maître Leblois the contents of three secret *dossiers*. These were:

1. A *dossier* relating to the service of carrier pigeons.
2. The *dossier* relating to the affair of Serjeant Boullot, who had been accused of *espionnage*.
3. The Dreyfus *dossier*, containing the *canaille de D*...document.

In regard to the matter of General Gonse's letters, it is possible that, from the strict military point of view, Colonel Picquart may have committed an indiscretion. But, if so, it was committed for the sake of justice and humanity. It was committed with the one only purpose of saving an officer who, as Colonel Picquart knew, had been wrongly con-

*It is painful to me to have to speak of M. Brisson,—more especially as, a little later in the story, he displayed a certain amount of courage. But, as Prime Minister, he was the responsible head of the Government, and it is impossible for his best friends to exonerate him from the charge of most culpable cowardice and weakness in the unspeakably grave matter of the imprisonment of Colonel Picquart.

demned and dishonoured. From all reasonable and right-minded men, and through the voice of history, Colonel Picquart will receive nothing but praise for his action. I only wish that Victor Hugo were still with us, and that a few words of magnificent inspiration from him, on this subject, could have thrilled the heart of France. For we all know what line he would most certainly have taken.

As to the fact that Colonel Picquart, before starting for Africa, deposited General Gonse's letters with his lawyer, Maître Leblois, I do not see that the slightest shadow of blame attaches either to Colonel Picquart or Maître Leblois. To deposit documents is not necessarily to communicate them, and, if we admit that the communication of the letters may possibly have been a military indiscretion, we should have, on the other hand, most strongly to maintain that, in leaving these invaluable letters in safe and friendly custody, Colonel Picquart was entirely right. Indeed, he was more than right: he was carrying out an obvious and imperative duty. For, after all, Colonel Picquart, though he has been treated by his chiefs as if he were a person possessing neither civil nor military rights, is at least a man,—a human being. He has his own honour, and the verdict of history, to consider. He was perfectly right, when becoming cognisant of the iniquitous plots against him and when starting on a distant and dangerous service—a service from which he knew that it was only too probable that he might never return—he was, as I say, perfectly right to leave in the keeping of his old friend and lawyer documents which, in the case

of his death, would serve to explain his actions and to clear his threatened honour. If Colonel Picquart had done less than this he would have been doing less than his duty.

As to the *dossiers*. The *dossier* relating to the service of carrier pigeons, which Colonel Picquart showed to Maître Leblois, was not a secret *dossier* at all. It simply contained articles and cuttings from newspapers on the subject of pigeon service, and was certainly in no way concerned with "the national defence." There were, in fact, two *dossiers* relating to the matter of the carrier pigeons. One, which was not a secret *dossier*, was the one which Colonel Picquart showed to Maître Leblois. The other, a secret *dossier*, was not shown to Leblois. But, naturally, *this was the one which the authorities at the War Office ordered to be brought into Court, as if by accident*, at the time of Colonel Picquart's first trial by Court Martial.

As to the *dossier* relating to the affair of Serjeant Boullot, both Colonel Henry and Colonel Picquart had asked Maître Leblois for a legal opinion in reference to it. But this had been regarded by the authorities at the time as a perfectly legitimate proceeding. Nor was Colonel Henry ever taken to task for his share in the matter.

In regard to the third *dossier*—that containing the *canaille de D...* document—one has only to refer to the stenographic reports of Zola's first trial, in order to be convinced of the baseless character of the charges brought against Colonel Picquart. In spite of the persistent efforts of President Delegorgue, the complete unreliability of the evidence tendered in

support of the charges by Colonel Henry, Commandant Lauth, and the *archiviste* Gribelin, was only too painfully evident. President Delegorgue, seeing that the military witnesses were contradicting themselves at every step and making the most glaringly inaccurate statements, did what he could to rescue them from the abyss into which witnesses who have agreed to tell an untrue story invariably plunge. He would not allow the confrontations demanded by Maître Leblois and Colonel Picquart to take place ; he would not allow the matter to be pressed home, as the military witnesses would then have been convicted of perjury, and it might have been necessary to punish them, or to make a show of punishing them ; he would not allow documents to be brought into court, which would have proved that the *archiviste* Gribelin was telling falsehoods. But, as from first to last throughout the case, the resolute determination of the Government to shroud their position in darkness, really threw the most piercing light upon it. Had their witnesses been truthful witnesses, the evidence demanded could have been produced, and the matter could have been pushed home without fear.

There is no doubt that Colonel Picquart was perfectly innocent on the above heads. But, though innocent, it will be remembered that—on the evidence of these perfectly unreliable people, Gribelin, Lauth, Henry—Colonel Picquart had been convicted at the military so-called trial which took place, with closed doors, immediately after Zola's trial in February, 1898, and had been put on the retired list. Therefore, Colonel Picquart's renewed trial on the very

same charges was illegal ; merely one more illegality, and, where almost every step on the part of the Generals and the Government had been taken in direct and wilful violation of the law, one more illegality really did not matter much. However, it is the duty of the historian to record it.

So far I have been dealing only with the first division of the charges brought against Colonel Picquart ; charges which, as I have just pointed out, had been brought against him months before, and in respect of which he had been, most unjustly, punished.

But, in August, 1898, there was another section of charges. The absolutely inverse method had again to be pursued. Colonel Picquart, who was innocent, had to be convicted of the deeds of Colonel Henry, Colonel du Paty de Clam, and the expert Teyssonnère, who were guilty. The matter had now become quite charmingly simple. We must remember that both Cavaignac and Brisson were accomplished *étouffeurs*, and had already accumulated a fund of valuable experience in the art of hushing up awkward matters, and silencing dangerous witnesses. Brisson had, with singular skill, succeeded in hushing up the Panama scandal. Cavaignac had, in the interests of the War Office and of those high in command, stifled the utterly disgraceful scandals connected with the Madagascar expedition ; an expedition in which the lives of so many thousands of French soldiers were recklessly flung away, without a shot being fired. Therefore, as I say, both Cavaignac and Brisson had acquired most useful experience,

They were scientific experts in the art of "stifling" scandals. The two men now united in the most resolute, and the most wicked,* of the various military and ministerial attempts made to stifle the Dreyfus affair.

The plan that they pursued with the connivance, or, more probably, the active assistance, of Sarrien the Minister of Justice, was as follows.

1. The materials for the falsified accounts of the secret *canaille de D...* document, which appeared in the *Eclair* of September 15th, 1896, † had been communicated to that paper by Colonel du Paty de Clam, who, as we now know, was from first to last, the inspirer and organiser of the whole monstrous conspiracy.

Therefore Cavaignac, Brisson, and Sarrien, that is, the Minister of War, the Prime Minister, and the Minister of Justice, who all three knew this, agreed to allow an innocent man, Colonel Picquart, to be convicted and punished on this charge.

2. An infamous falsehood had been told, for the sake of more effectually destroying Captain Dreyfus, by the person who communicated the facts as to the secret document to the *Eclair*. This person must have informed the Editor that the full name, DREYFUS, existed in the original document, whereas only the initial D... existed.

M. Bernard Lazare was informed of the truth as to this point, not by Colonel Picquart, but by M. Mathieu Dreyfus, who had been put in possession of

* For Cavaignac and Brisson were sinning against more light and knowledge than their predecessors.

† See Section XI, entitled "*The Coup de Massue*,"

the facts by Maître Demange and M. Trarieux : and M. Bernard Lazare inserted the rectification in his *brochure*, *La Vérité sur l'affaire Dreyfus*, published in the latter part of October, 1896.

Therefore Cavaignac, Brisson, and Sarrien, who all three knew this, agreed to allow an innocent man, Colonel Picquart, to be convicted and punished on this charge ; that is, on the charge of having first, with the view of assisting Captain Dreyfus, caused to be published in the *Eclair* a falsified and inconceivably damaging document, and of having subsequently, in conversation with M. Bernard Lazare, cancelled his own carefully devised falsehood as to the full name DREYFUS !

The only point that posterity will have to decide is as to which was preponderant in the plan and action of Cavaignac, Brisson, and Sarrien : sheer wickedness, or crass stupidity.

Moreover, if Colonel Picquart, being aware of this infamous falsehood as to the full name DREYFUS, *had* flashed a denunciation of that falsehood on the stream of the electric search light throughout the world, he would have been only doing his duty : a duty which all the Generals who knew the truth of this matter, the officers at the first Court Martial, who knew the truth of this matter, and the various Ministers who, antecedently to September 15th 1896, knew the truth of this matter, most signally failed in.

3. On the 10th of November, 1896, the first facsimile of the *bordereau* was published by the *Matin*. Probably Colonel du Paty de Clam had a hand in this matter also, but the photograph of the

bordereau, from which the facsimile was produced, seems certainly to have been supplied to the Editor of the *Matin*, by M. Teyssonnière, the expert of whom we have previously spoken. He was one of the Government experts at the time of the Dreyfus trial, and a photograph of the *bordereau* upon which to work, was supplied to him by M. Bertillon. M. Bertillon put a private mark upon all the photographs of the *bordereau* which had been entrusted to him, and the mark which he placed upon the photograph which he handed to M. Teyssonnière, appears in the reproduction issued on November 10th, 1896, by the *Matin*.

Therefore Cavaignac, Brisson, and Sarrien, who all three knew this, agreed to allow an innocent man, Colonel Picquart, to be convicted and punished on this charge.

In pursuance of this scheme—and be it remembered that the three men, Cavaignac, Brisson, Sarrien, were all the while refusing to hear Colonel Picquart's reasons for believing that two of the documents produced by Cavaignac in the tribune did not apply to Dreyfus, and that the third was a forgery, and be it also remembered that Colonel Picquart's perfectly respectful offer to M. Brisson to prove this "before any competent tribunal" was the real reason of his having been summarily arrested and thrown into prison—in pursuance, as I say, of the above scheme, Cavaignac, Brisson, and Sarrien, put the *instruction* in the matter of Colonel Picquart into the hands of a pliable and amiable magistrate, M. Fabre, a gentleman not at all disposed to risk his future and leave his button-hole for ever un-

decorated, by any absurd and obstinate insistence upon truth, after the manner of M. Paul Bertulus.

Therefore M. Fabre, during the course of his *instruction*, took very good care to summon and interrogate witnesses like the *archiviste* Gribelin and Colonel Henry,—witnesses who had already proved, in the Seine Assize Court, that their devotion to the *Etat-Major* was greater than their devotion to truth.

But M. Fabre took equally good care *not* to summon and interrogate the witnesses suggested to him by Colonel Picquart and M. Bernard Lazare : witnesses who could have proved that the original informant of the *Eclair* was Colonel du Paty de Clam, that it was not Colonel Picquart who explained to M. Bernard Lazare the matter of the initial D..., and that it was Teyssonnière, the prevaricating expert who was so thoroughly shown up at the Seine Assizes, who lent his photograph of the *bordereau* to M. Bruneau-Varilla, the director of the *Matin*.

M. Fabre was only too willing to allow M. Bruneau-Varilla to shelter himself behind "the professional secret," and to permit M. Bruneau-Varilla's refusal to communicate the name of the person who lent him the photograph of the *bordereau*, to be taken as a silent accusation of Colonel Picquart. (If the person who brought the photograph to the *Matin* had been Colonel Picquart, be very certain that M. Bruneau-Varilla would not have invoked "the professional secret": he would have been only too ready to speak. Such a testimony would instantly have procured him the Cross of the Legion of Honour, or some equivalent reward.)

M. Fabre, again, was only too willing to allow M. Sabatier, the director of the *Eclair*, to shelter himself in the same way behind "the professional secret": with the purpose, of course, of saving Cavaignac's cousin, the real informant, and suggesting, by his silence, what he, Sabatier, knew that he could not openly assert without absolute perjury; viz., that he had received a communication from Picquart.

M. Sabatier has, unfortunately, already been decorated; last January (1898), for previous services to the *Etat-Major*. But he can be promoted to a higher grade in the Order.

Lastly: M. Fabre took very good care not to summon M. Teyssonnière himself, or M. and Mme Crépieux-Jamin and other witnesses, with whose assistance it could quite easily have been proved that Teyssonnière, who admitted that he never restored his photograph of the *bordereau* to the War Office, and that his photograph bore the same mark as that of the facsimile published by the *Matin*, was the person who enabled the *Matin* to produce that facsimile.

And M. Fabre took very good care not to inquire into the story—somewhat analogous to that of the *dame voilée*, for M. Teyssonnière, too, is a pupil of Gaboriau—told by the ingenious expert, in order to account for the supposed loss and restoration of the *dossier* containing the photograph.

Teyssonnière told M. Trarieux that his servant one day found the *dossier* in his *antichambre*.

Teyssonnière told M. Crépieux-Jamin that he himself found it in his *antichambre*, accompanied by an

anonymous letter, stating that an unknown person (another *dame voilée*, I suppose!) sent back the expert's *dossier*, which had been stolen at the War Office, with malevolent intentions, by M. Bertillon.

Teyssonnière, before the Seine Court of Assizes, stated that he had himself suddenly found the lost *dossier* on his dining-room table.

Into these delicate and interesting details M. Fabre took care *not* to go. They serve wholly to discredit a witness whom the Government were determined not to discredit, because—like Savignaud, the perjured *tirailleur**—he was of signal use to them in giving evidence against a man they knew to be innocent.

When a Minister of Justice, a Prime Minister, and a Minister of War unite in a plot against an innocent man, it is indispensable that they should be able to rely upon the assistance of at least one perfectly unscrupulous magistrate. They found such a magistrate in M. Fabre: who may now, I should think, feel absolutely confident of shortly being able to exhibit at his button-hole the red ribbon of the Legion of—Honour.

* This wretched man's testimony against Colonel Picquart was hopeless in its self-contradictions. My amazement is that French Ministers and Generals should have stooped to the use of such tools!

LVIII.

SOME MEN OF HONOUR.

WHILE M. Fabre is considering what *ordonnance* he shall render—that is to say, what form of *ordonnance* will be most pleasing to his masters, Cavaignac and the *Etat-Major*—let us turn for a moment to a pleasanter subject. There were still, in spite of the defection of M. Sully-Prudhomme and the members of the Legion of Honour, some men of honour left in France. One of the noblest of them, M. Buisson, used the following words at the funeral of M. Pécaut, a most distinguished Frenchman, formerly Director of primary education at the Ministry of Public Instruction, and one of the professors at the Sorbonne. I do not know a more pathetic and beautiful picture than that of the aged professor, knowing that he was within a few hours of death, but up to the very last moment devoting himself, with a heroism which outweighs that which is shown upon a hundred battle-fields, to the impassioned defence of the cause of justice and the honour of France.

But let M. Buisson himself speak—at the funeral of his old friend :

“ For eight months, as you know, a most painful question has been torturing the country.

“ There is no need that I should indicate it more exactly : where is the family which it has not agitated, divided, troubled ?

“ Our great friend [M. Pécaut] had followed this

terrible affair in all its windings with the most anxious attention, up to the moment when illness confined him to his bed of suffering. But in spite of bodily distress and pain, he retained up to the very last hour, not only perfect clearness of thought, but the fulness of his moral force and the perfect integrity of his conscience. He desired to be informed of everything, and to know each day's events. And as these events evolved themselves, he applied himself with unshaken resolution to performing what he called his duty, his whole duty.

"You must have remarked that, in the letters inviting you to take part in this sad ceremony, M. Pécaut is termed '*former* inspector-general, *former* member of the *conseil supérieur*.' Why '*former*?' The reason is that quite recently, only last week, he again made his family write to the Minister, most urgently entreating him to accept his, M. Pécaut's resignation of these two functions, which still attached him officially to the Administration. And he did this in order that he might not die without being free publicly to join his name, as his sons had already done, to the names of the men of honour who have undertaken to stem one of the blindest but most formidable currents of opinion which have ever carried away a country.

"In uniting himself to these, his effort was to preserve the Republic, France and the army, from the only real dishonour which can ever attach to them: for to repair a wrong, if a wrong has been committed, is not a shameful, but, on the contrary, an honourable action. While, on the other hand, to take part in supporting an iniquity committed even involun-

tarily, means indelible dishonour. How many times since the commencement of the matter has not M. Pécaut said to me : ‘ But cannot people see that the very worst insult which could be offered to our army would be to forget that, being the servant of France, that army is the servant of justice ? For God’s sake, do not let us become entangled in this abominable dilemma : that we must either sacrifice justice for the sake of the country, or sacrifice the country for the sake of justice ! The two ideas are one and the same thing. To wound one is to wound the other.’

“ This is why M. Pécaut was so anxious, at any cost, to liberate his conscience before the University. Certainly, it was in his power to remain silent. Alas ! it would only have been too easy to do so. But to him it seemed that France was running such terrible danger that the very last of her children, had he only a breath of protest left to him, owed her that breath.

“ What danger did he mean ? He has told us. He has written several times : ‘ *In wishing to save France, be very careful not to destroy the conscience of France !* it is easy at the present moment to silence and drug the public conscience, for it is weary of the struggle. Tremble lest that disaster should come upon us ; for that disaster alone would be irreparable.’ And from the day when this dread of catastrophe came upon him, he never rested till he had done what little lay in his power to save his country from it : he opposed to it all that was left to him, the voice of a dying man.

“ When he heard of the arrest of Lieutenant-Colonel Picquart, he was moved even to tears. And

on his death-bed he dictated the most touching letters to those whom he thought capable of being influenced by a supreme warning; the moment his resignation of the posts which he held under Government set him free, he ordered the despatch of his subscription to the *affichage* which had been started, in reply to the speech of the Minister of War. He never asked whether he himself was doomed to die the next day: he considered that he still had the time to perform the duty of a citizen, of a patriot and of a teacher.

“All of you who are assembled here, whether or not you share M. Pécaut’s conviction on the terrible matter that so afflicted him, will respect his conviction, as he always respected the conviction of another.

“As for me [M. Buisson], me who resisted his conviction for so long a time as to grieve the best of friends, perhaps even to cause him to doubt me, as for me who did not yield to conviction until I had made every possible effort *not* to yield, I should for the first time in my life be betraying my friend’s confidence, and I should never dare again to pronounce his name, if, before this open grave, I kept back the truth, if I stifled by my silence the supreme cry of the dying man collecting all his forces to bear witness once more in the holy cause of justice.

“It seems to me that his soul, so pure and so tender, would never pardon me if I withheld from his girl-pupils of Fontenay and from the teachers of France, whom he has never flattered but whom he has never doubted, the last example and the last

lesson which he bequeathed to them. I discharge this duty all the more freely, from the fact that I have no official mandate here ; I am not speaking in the name of the Minister of Public Instruction, or in the name of any one else. I am not committing any one. And I add that I am certain of still being faithful to the thought of the venerated friend who has been taken from us, when I say to you, not : ‘Think as he thought, be in agreement with him,’ but : ‘whatever judgment you form, let it be in agreement with your conscience. Absolute sincerity is in itself a complete religion. It was *his* religion ; may it always be yours !’”

How strangely hard it is to stifle truth ! Only a week or two previously M. Paul Stapfer had been suspended for six months for using very similar language at the grave of M. Couat. Now, on August 6th, 1898, we have M. Buisson speaking even more emphatically at the grave of M. Pécaut. In the whole “Legend of Dreyfus” there is nothing to me more impressive than these two voices, of M. Couat and of M. Pécaut, warning France up to their last breath,—and warning her, through their faithful friends, Stapfer and Buisson, once again from beyond the tomb.

M. Pécaut shed tears at the news that the righteous warrior, Colonel Picquart, had been cast into prison. But it is impossible to read the story of M. Pécaut himself fighting for France and truth, with death’s hand actually upon his shoulder, without tears. Let those who, like the present writer, love France passionately, read the words of MM. Couat and Pécaut, and then those of such men as Roche-

fort, Judet, Drumont, Arthur Meyer, and their coadjutors. They will not be long in making up their minds as to which, in this matter, was the cause of humanity, of freedom, of justice ; as to which combatants, to state the matter in the good old puritan fashion, were fighting for lies and the devil, which, on the other hand, were fighting, fighting even to the very death, for truth and for God.

On August 19th, it was announced that thirty-five out of the forty-three professors at the Sorbonne had signed a protest against the suspension of M. Paul Stapfer by the Minister of Public Instruction. On August 16th, the Municipal Council of the *commune* of Breloux, performed an act of signal and praiseworthy courage. The inhabitants of the *commune* of Breloux are tough and sturdy peasants, not easily "humbled," to put it in our rough English way, and the resolution issued by their Municipal Council, which I shall quote *verbatim*, is one of the few bright spots in a most dismal and disheartening narrative. The thanks of France, the thanks of all honest people, and the admiring recognition of history, are due to the men of Breloux.

They resolved as follows :

"The Municipal Council of the *commune* of Breloux, *canton* of Saint-Maixent (Deux Sèvres), being assembled at the place of its ordinary sittings, has, at its deliberation of August 16th, 1898, passed the following resolution :

"Seeing that, at the sitting of the Chamber of Deputies of July 7th, 1898, M. Cavaignac, Minister of War, said :

“ ‘ It is our duty to do everything that lies in our power to enlighten those who are acting in good faith,* it is our duty to supply them with all the facts at our command : ’

“ Seeing that, with the view of attaining this end, the Minister of War produced three documents relating to the Dreyfus *procès*, and seeing that the character of these documents has only raised the already existing uneasiness to the greatest pitch of intensity :

“ Seeing that, on the next day but one after the sitting, July 9th, Maître Demange, the advocate of Dreyfus, affirmed, in a letter addressed to the Minister of Justice, that these documents had never been communicated either to Dreyfus or to his defender :

“ Seeing that the Minister of Justice has not, up to the present moment, in any way disputed the affirmations of Maître Demange and that these facts appear to suggest that there has been a violation of the most sacred principles of public right, which suggestion augments in the most distressing manner the cruel doubts already arising from the perplexing debates upon this unfortunate matter :

“ Seeing that no person whatever has any right to violate the law ; that the civil or military magistrate entrusted with the duty of enforcing the law, is bound himself most rigorously to obey it ; that no accused person can be considered guilty and legally condemned unless all the forms of justice

* Probably the sturdy men of Breloux felt that M. Cavaignac's plan of casting instantly into prison, on false charges, the very first person (Colonel Picquart), who offered to assist him in arriving at the truth, was a very queer way of proceeding “ to enlighten those who are acting in good faith ! ”

have been strictly observed ; that the failure to observe these forms inevitably carries with it the nullity of the sentence and of all the proofs of guilt upon which that sentence was based :

“ Seeing that, if the affirmation of Maître Demange is correct, the documents produced by M. Cavaignac have at this present moment no evidential force whatever as against the condemned man Dreyfus, and that the quashing of the sentence and the appearance of Dreyfus before another Court Martial have become imperative :

“ Seeing that it is necessary, for the sake of the honour of the army, that complete and absolute light should be thrown upon this matter ; that, in order that the army may be strong and respected, it is necessary that it should be exclusively at the service of justice and right ; that, if the army itself destroys what it ought to defend, it loses its character of a national army and becomes a mere cohort of unbridled praetorians, a danger to every one, and the blind, obvious, and ever ready tool of any person who may aspire to the dictatorship :

“ Seeing that the same principle prevails with regard to the country itself, and that any nation weak and cowardly enough to commit an injustice and to abandon the defence of its children must become a degraded nation, unworthy of the name of *patrie*, and inevitably condemned to shameful and ignominious decline :

“ Seeing that no one has the right by false affirmations to trouble to such an acute point the public conscience ; that, if the affirmation of Maître Demange is false, it is expedient as quickly as possible

to deny it, and to hold the author responsible for the consequences of his falsehood :

“ The Council of Breloux demands :

“ 1. That the Minister of Justice do firmly, frankly and loyally affirm that all the forms of justice have been scrupulously observed in the Dreyfus case, that the accused and his counsel have had complete access to the documents produced before the Chamber of Deputies by M. Cavaignac and to all other documents composing the *dossier* :

“ 2. That in the event of the statements made by Maître Demange being untrue, the Minister of Justice do prosecute him before the proper tribunals, and demand that he, in that event, be punished as he would then deserve for the trouble and distress which he has caused throughout the whole of France :

“ 3. And finally that, in the event of the statements made by Maître Demange being correct, and a violation of the law having therefore taken place, the Minister of Justice do take the initiative by bringing the case of Dreyfus before the Court of Cassation, at the same time providing the Court with all the materials necessary to enable it to decide, in possession of complete information as to the matter, whether ground exists for sending Dreyfus before a new Court Martial.”

The men of Breloux, in drawing up this resolution, were doing an absolutely sane, sensible and honourable thing. But why did not every *conseil municipal* in France do the same? Why did not the twenty-eight thousand officers of the French army rebel against the lies and iniquities of some couple of

dozen, and, in the name of "the honour of the army," cast them out? Was France indeed, as Mr. Dixon the New York preacher openly asserted, "thoroughly corrupt"? And were those who were painfully writing, day by day, the history of the Dreyfus case, really writing the "History of the Decline of France"?

LIX.

CAVAIGNAC THE BUFFOON.

WE must now leave brave dead Couat and Pécaut,* brave living Stapfer and Buisson, and the sturdy men of Breloux, and turn back again regretfully to the doings of the French Government and the *Etat-Major*; that is to say, to their continued efforts to acquit the guilty and convict the innocent.

For the amusement of the world in general, Cavaignac the Intrepid now came out in a new character, and posed before the astonished universe as Cavaignac the Buffoon. He hit upon an excellent theme for a comic opera, and he entitled his opera: "An *Enquête* upon Commandant Esterhazy."

It is hardly necessary to remind the reader that the very name "*enquête*" had now become ridicu-

* Happy perhaps in dying, before France, in the hands of Cavaignac and Brisson, had reached the lowest depth of dishonour and degradation,

lous in France ; in fact, ridiculous wherever French newspapers were read and French history was studied.

There had been an *enquête*, lasting for months, in the case of Captain Dreyfus. It had resulted in a gross violation of the law, and the conviction of an innocent man.

There had already been an *enquête*, ordered by General Billot, in the case of Esterhazy. It had resulted in the suppression of all the important evidence, the "boycotting" of all the real witnesses, and the triumphant acquittal of a guilty man.

There had been an *enquête* in the case of Colonel Picquart. Through this *enquête* the one reliable and honourable officer still left to the French army, had been turned out of it ; and on the evidence of men whose every other word was a proveable untruth.

There had been a military *enquête*, at the request of Colonel Picquart, in the matter of the forged *Speranza* letter, and the forged *Speranza* and *Blanche* telegrams. As it was not convenient to the military authorities that the truth should be known, they had found out nothing.

There had been a civil *enquête*, conducted by M. Bertulus, in the same matter. As M. Bertulus was shrewd and honest, and was on the high-road to the discovery of the truth, the *enquête* had been snatched out of his hands by the military authorities, and the guilty persons whitewashed, without a trial or the examination of witnesses, by M. Cavaignac's very humble and obedient servants, the *Chambre des mises en accusation*.

There had been an *enquête*, in the matter of the

forged instantaneous photograph* supplied to the *Jour* by the War Office, with the intention of discrediting Colonel Picquart. But when M. Adolphe Possien, the author of the shamefully libellous articles in the *Jour*, appeared for examination upon oath before the magistrate, he, a mere journalist, was actually allowed to plead "the professional secret" as an excuse for not answering the magistrate's inquiry as to the origin of the forged photograph. Why was that? Because M. Possien had received the forgery from the War Office—probably from the hands of Colonel du Paty de Clam or Commandant Pauffin de Saint-Morel—and because it was, naturally, not convenient to the military authorities that their systematic use of forged documents should be proved.

There had been an *enquête*, in the matter of the letters accusing Zola's father of being a thief. These letters were alleged to have been written, in the year 1832, by Colonel Combes or Combe, then in command of the Foreign Legion. They were most denunciatory and explicit, and were printed in the *Petit Journal*, with the sort of commentary which those who know M. Judet's style when attacking an enemy from safe cover, can easily imagine. But, when the careful scientific criticism of M. Jacques Dhur (of the *Petite République*) and others had made it clearly evident that the letters attributed to Colonel Combe were either entirely forged, or had been largely "doctored," and when the *enquête* demanded by M. Zola began—M. Judet, like M. Possien, was allowed to plead "the professional

* See Section XXXIII, entitled "The War Office forger at work again."

secret!" And, when M. Zola, through his counsel, challenged the War Office to produce the whole *dossier* relating to his father, Lieutenant François Zola, and to submit that *dossier* to criticism in the honest broad daylight—these "honourable" military men flatly refused! Why? Because they knew that they were lying. Because they knew that the *dossier*, if put upon the table and examined, would not bear out their cruel and calumnious insinuations. Because they knew that Colonel Combe's alleged letters had been forged, or touched up and added to; with the express purpose of injuring M. Zola in the opinion of France and the world. Because, as in the case of Captain Dreyfus, they preferred working in the dark; preferred producing just enough documents, or just enough of a document, to discredit their adversary, but not the documents, or the entire document, which would have enabled that adversary to defend his impugned honour. Because, in one word, though high in position, and pretending to fight for "the honour of the army," they were in reality doing everything that lay in their power to dishonour and degrade that army, and were behaving like cads and rascals.

That, I think, makes seven *enquêtes*.

I now return to the eighth *enquête*, which really seemed started by Cavaignac the Buffoon in order to afford France and the world some honest amusement during the summer *vacances*. For the absurdity of asking five honourable but unfortunate officers to decide upon a case, while at the same time imperiously ordering them carefully to avoid going

into that case, and carefully to exclude all valuable evidence, and all important witnesses, was really too obvious. Moreover, every officer engaged in this eighth, or ninth, * *enquête* must have perfectly well known the truth,—viz. that Esterhazy was to be let down easy, because a genuine inquiry would have entailed awkward consequences for the Minister of War's cousin, and other accomplices of his belonging to the *Etat-Major*.

While, as to what they might expect in the way of fatherly admonition, or fatherly chastisement, if they presumed in any way to think or act for themselves, they had had a recent and most memorable example set before them. Had not the Colonel of the 145th regiment of the line, on July 25th, at Montmédy, issued the following "order of the day;" in reference to the fact that three officers of the regiment had ventured, at a Court Martial which had just been held, to exercise an independent right of judgment and to differ in opinion from their chief?

"Le vote des trois membres du conseil semblerait indiquer de leur part *un esprit d'opposition* que le chef de corps ne saurait tolérer—*et, sans vouloir en rien peser sur la conscience de ses subordonnés—le colonel est absolument décidé à faire au besoin, par sa manière d'être à leur égard, supporter à qui de droit les conséquences d'une conduite qui semblerait vouloir se mettre en opposition avec les décisions certainement impartiales et raisonnées du commandant du détachement. Les officiers intéressés voudront bien se le tenir dit une fois pour toutes.*"

When we remember the behaviour of the military

* I am by no means certain that there were not one or two more equally meaningless and discreditable so-called "inquiries."

authorities at the seven *enquêtes* I have referred to above, there is a certain gloomy humour about this *ordre du jour*; lurking especially in the phrases "without in any way desiring to put force upon the conscience of his subordinates," and "the unquestionably impartial and well reasoned decisions of the commander of the detachment." The Colonel of the 145th certainly showed himself well qualified to play up to Cavaignac the Buffoon. Or was the Colonel taking the matter in grim deadly earnest, and simply advertising himself to Cavaignac as a suitable candidate for the presidency of the Court Martial shortly to be held upon Colonel Picquart?

Again, in this chapter, I fear lest the English readers who have hitherto heard only fragments of the story, may think that I am exaggerating. In fact, it is utterly incredible that such things should have happened in France, the country of the Revolution, under a Republic and a so-called radical Ministry, in the year 1898. Written in a novel, event by event, they would be voted far-fetched and absurd. As M. Yves Guyot said: "Esterhazy is an impossible villain. The man who chose the very moment when he was being denounced and hunted down for treason to start a fresh swindle, and a swindle upon his own cousin, is a villain of the *Ambigu*; they would not tolerate him at the *Français*."

However, Esterhazy exists, and the utterly incredible events *did* happen, as I have described them. And, to show that the true character of these events was thoroughly realised, not only by

foreign critics, but also by the nobler and more thoughtful Frenchmen, I will quote the following passage from M. Clemenceau's article in the *Aurore* of August 23rd, 1898. The article was entitled "*Esterhazy devant ses juges.*"

"Esterhazy pronounced not guilty by General de Pellieux, without the slightest examination of the *bordereau*; Esterhazy whitewashed by the unspeakable commandant Ravary, in virtue of the famous dogma: 'Our justice is not the same as yours'; Esterhazy acquitted by the Court Martial, presided over by General de Luxer; Esterhazy recognised by General de Pellieux as a '*cher camarade*,' and sympathised with by the same distinguished officer on account of 'the abominable campaign which was being conducted' against that honourable representative of the army; Esterhazy acclaimed, fondled, embraced, by a crowd of delirious 'patriots,' in the foremost rank of whom stood a prince of Orleans; Esterhazy protected by the advocate-general Van Cassel, who defended him so nobly, by means of false documents, against the arguments of the opposing counsel at the Paris Court of Assizes; Esterhazy snatched from the claws of judge Bertulus by the procureur Feuilloley, who looks to Sarrien, who looks to Brisson, who looks to Cavaignac, the Minister of War; Esterhazy the friend of Schwartzkoppen and of Du Paty de Clam, Esterhazy the Uhlan for whose benefit the whole of French justice was systematically set at nought, in order to cover the most manifest act of treason; Esterhazy the traitor whom the three allied and holy powers, the legislative, the executive and the judiciary, have gone out of their

way to rescue from the arm of the law, is now to appear before a Court Martial, in order that the impartiality of Cavaignac and Brisson may be made perfectly clear to us."

All absolutely absurd and incredible, is it not? And yet every word of this is absolutely true.

On Wednesday, August 24th, Esterhazy drove up comfortably in a carriage to the *caserne* of the *Château-d'Eau*, where Cavaignac's comic opera was to be performed. Naturally, being the one central villain of the piece, whose various acts of treason had as nearly as possible ruined France, he had not been put under arrest,—either on this occasion, or on the occasion of Billot's comic opera, or burlesque *enquête*, which was performed in January, 1898. Colonel Picquart, on the other hand, being, in a very literal and noble sense, the hero of the piece, had been put under rigorous arrest, and imprisoned; both on the occasion of the *enquête** as to his case held under Billot, and on the occasion of the *enquête* held under Cavaignac.

Esterhazy found five distinguished officers, who had been selected to play in Cavaignac's *opéra bouffe*, waiting to meet him at the *Château-d'Eau*. He was not actually invited to luncheon with them—at which I am surprised. But then neither did General de Pellieux, the chief witness, lunch with the five officers composing the *conseil d'enquête*. Both Esterhazy and Pellieux took their *déjeuner*

*It will be remembered that, at the time of Zola's first trial, Colonel Picquart was in prison at the fortress of *Mont Valérien*. He was brought from *Mont Valérien* to the Paris Assize Court, to give evidence, and, when Zola appeared on July 18th at the Versailles Court, Colonel Picquart was brought to the Court, this time from the prison of *La Santé*, between two gendarmes.

apart : Pellieux and his orderly in *une petite salle particulière* ; Esterhazy, naturally, in a *local attendant à la salle d'honneur*.

The five distinguished officers were :

1. The president, General Florentin : Commander of the 9th division of infantry.

2. General Langlaois, Commander of the 17th brigade of infantry.

3. Colonel Kardrain, of the 82nd regiment of the line.

4. Commandant Savignac, Chief of the Staff of the second division of infantry.

5. Commandant Brodain, of the 82nd regiment of the line.

I am really sorry for these French officers, who were ordered to attend upon a Council of Inquiry, and who must have known that they were merely playing very ignoble parts in Cavaignac's farce. Quite probably, they were all honourable and worthy gentlemen, and, if possessed of the slightest critical intelligence, they must have known that Esterhazy was in fact *the* traitor, and that what they were doing, in obedience to Cavaignac's detestable policy, was exciting the contempt and derision of Europe. I would fain believe that they were born for better things, and desired better things, than to assist in the ludicrous *enquête* ordered by the man whose only object was to suppress truth and destroy Dreyfus, in order, if possible, to save his cousin and a gang of epauletted conspirators.

Notice how carefully officers of the artillery were excluded from these councils of inquiry. Why? Because they are the very officers who ought to have

been predominant on the list. Officers of artillery, in every army, are of a higher class and of keener intelligence than the ordinary line officers. They have to study harder at the outset, and to pass more searching examinations, and they are acquainted with technical matters relating to guns and gunnery of which—as we know by the confessions in Court of General Gonse and General de Pellieux—even French general officers are completely ignorant. Moreover, many of the more thoughtful and critical officers of the French Artillery had by this time applied their minds seriously to the study of the *bordereau*, and had perceived that, for various technical reasons, it was quite impossible that it should ever have been written by Captain Dreyfus, who was an artillery officer. On the other hand, as I have already observed, the mistakes in it were precisely those which an *officier de troupe*, or line officer, like Esterhazy, would be certain to make, when attempting to deal with artillery subjects.

Therefore, as Cavaignac's only object was to conceal the truth as to the authorship of the *bordereau* and thereby to save Esterhazy, whom he knew to be the traitor, and destroy Captain Dreyfus, whom he knew to be innocent, he and his military assistants took very good care that no artillery officer should be summoned to sit on the Council of Inquiry. Who knows? Some artillery officer might possibly have turned out both honest and intelligent; I do not say it was likely, but it was at least possible; and then there would have been, thought Cavaignac, all the needless worry and difficulty caused by that annoying Colonel Picquart, over again!

It is well worth observing that the old *chantage*, or intimidation, to which General Mercier had been weak enough to yield at the time of the trial of Dreyfus in 1894, began again in regard to this *conseil d'enquête* on Esterhazy. Drumont and his Jesuit allies put the same open pressure, with the same shamelessness, upon the five officers I have mentioned which he and his allies put upon Mercier and the seven officers composing the Dreyfus Court Martial; then again upon General Billot; then upon the jury at the Seine Assizes; and so throughout the miserable story. Was there really no French officer or Minister possessed of sufficient manhood to say: "I am not afraid of M. Edouard Drumont!"

Listen to Drumont's impudent threats, uttered in the *Libre Parole* of Monday, August 22nd:

"Combien d'autres glorieux serviteurs, généraux peut-être, ont tenu parfois des propos dont il serait injuste, dix-sept ans plus tard, de leur demander compte!...

"Les juges enquêteurs ont-ils d'ailleurs la certitude qu'Esterhazy ait toujours agi seul, sans conseil, sans direction peut-être, et que, certains des actes qu'on lui reproche, il en ait eu l'initiative personnelle et seul en porte la responsabilité?...

"Les membres du Conseil d'enquête feront ce qu'ils voudront, mais il me paraît utile et nécessaire de leur montrer ce qu'ils vont faire. S'ils livrent Esterhazy au Syndicat juif et allemand, ils donneront raison à la campagne organisée par Schwartzkoppen et par Panizzardi qui sont deux espions avérés...C'est l'engrenage: après Esterhazy ce sera Du Paty de Clam, après Du Paty, Henry, Lauth, de Boisdeffre, et après de Boisdeffre, Mercier... En abandonnant leur mal-

heureux camarade, les représentants de l'armée s'abandonneront eux-mêmes."

Yes: it had even come to that. Drumont the Jew-exterminator finds himself, on August 22nd, 1898, in a position coolly to announce to the chiefs of the French army that if they abandon to justice a wretched traitor,* and consequently save an innocent man, "they will be abandoning themselves."

Were the chiefs of the French army, then, all of them, of the same character and calibre as Esterhazy? What an honour for the French army! What a prospect for France!

LX.

THE CROWNING INIQUITY (CONTINUED).

ON Thursday, August 25th, M. Fabre and M. Feuilloley succeeded in arranging matters to their complete satisfaction, and M. Fabre issued his *ordonnance* in the Picquart-Leblois affair. M. Fabre the magistrate was working under M. Feuilloley the procureur of the Republic, who was himself working under Cavaignac and Sarrien, the Minister of War and the Minister of Justice.

* As our English writer, Mr. Frederick Conybeare, has repeatedly and authoritatively stated. I think I am right in affirming that Mr. Conybeare has been expressly commissioned to arrange for the publication, if necessary, in English papers, of facsimiles of the documents sold by Esterhazy to Colonel Schwartzkoppen.

Brisson was sitting gloomily looking on at the denial of his whole life's principles, and the undoing of his whole life's work, but did not dare to move. Cavaignac, who was practically dictator, though to some extent subject to Drumont, was working merely for himself and the *Etat-Major*; and, implicitly, for the complete ruin and dishonour of France, through that very "destruction of the French conscience" which poor M. Pécaut so clearly foresaw and predicted.

That was the situation. M. Fabre's *ordonnance*, of course, exactly expressed and represented the situation, being in fact simply evolved from it. It had been evident, the moment the absolutely inverse method was unscrupulously adopted, that, in every instance, the acquittal of those who were known to be guilty must inevitably lead, by the direct road of nefarious but unavoidable logic, to the condemnation of those who were known to be innocent.

The object aimed at by Cavaignac and his minions was threefold. Firstly, it was necessary that Esterhazy, Du Paty de Clam, and their accomplices should be protected. Secondly, it was expedient that Colonel Picquart should be brought before a military tribunal, in order that the proceedings against him might be conducted in darkness (the *huis clos* would of course be proclaimed), and in order that a fore-arranged verdict might without difficulty be obtained. Thirdly, it was desirable that some means should also be found of bringing Picquart and his "accomplice" Maître Leblois, before the "civil justice," as well as the military. This was requisite, from the point of view of Cavaignac and the *Etat-Major*, in order that

they might be able, when a double conviction had been obtained, to point out triumphantly to the unfortunate France they were at once wheedling, destroying and deceiving, that both the civil and the military "justice" were absolutely at one in the matter, and that no more remained to be said.

I admit that this plan, taken as a whole, was as cunning and skilful as it was wicked. There was, in fact, an "*habileté affreuse*" about it, to use the expression employed by M. Zola to characterise Cavaignac's ingenious effort on July 7th to deceive uneducated persons throughout the whole of France by the *affichage* of a careful assortment of known falsehoods.

The plan to be pursued in reference to Colonel Picquart was, as I say, cunning and skilful. But it was not very easy to carry out. So many witnesses had to be suppressed, so much evidence had to be disregarded, and so many legal obstacles had to be surmounted. However, Fabre and Feuilloley were as anxious to please the masters upon whom their future depended as Bertulus had been to do his duty. They hit upon the following expedient.

First of all, they ignored every one of the original accusations against Picquart and Leblois: those which I have dealt with in Section LVII. They evidently felt, only too strongly, that the *intellectuels* and critics were right, and that Bertulus was right. They plainly discerned that to bring the questions of the carrier-pigeon *dossier*, of the communication of the secret document to the *Eclair*, etc., before a Civil Court, in broad daylight, and there to hear the testimony of ungagged witnesses, would be fatal.

Fabre and Feuilloley saw what I have already pointed out, viz., that such a course would result in the conviction, not of Colonel Picquart and of Maître Leblois, but of Esterhazy, Colonel du Paty de Clam, Colonel Henry, and, very probably, of certain others.

Therefore, Fabre and Feuilloley drew back. Fabre delivered an *ordonnance* of *non-lieu* against Maître Leblois in regard to the matters of which I have spoken. This means that M. Fabre saw no grounds for proceeding against Maître Leblois in respect of these points, and this, again, means that, the civil so-called “accomplice” being withdrawn, Colonel Picquart was, in reference to the above charges, left face to face with the military “justice”; left face to face, that is to say, behind closed doors, with Henry, Lauth, Gribelin, Savignaud, etc., the group of witnesses who were deliberately lying—as had been proved—for money, or for promotion,—or for the Cross of the Legion of Honour.

But this is not all. As I have said, a prosecution of Picquart and Leblois before *some* Civil Court had in *some* way to be arranged; and it had to be done without endangering the honour, or the liberty, of Savignaud, or Gribelin, or Lauth, or Henry, or Du Paty de Clam, or Esterhazy.

Feuilloley and Fabre arranged this little matter for Cavaignac as follows. Having, with a sweep of the hand, disposed of all the accusations a serious investigation into which might possibly have awkward results for some, or all, of the above friends of the Minister of War, they then raked up against Colonel Picquart and Maître Leblois some trumpery and ridiculous charges in reference to certain com-

munications as to the first Esterhazy *enquête* said to have been made by Colonel Picquart to his legal adviser, in the month of June, 1897. On these charges it was settled that Colonel Picquart and Maître Leblois should be brought before the Correctional Tribunal. Maître Leblois was said to have communicated portions of the conversations alleged to have taken place between himself and Colonel Picquart, to a third person, M. Scheurer-Kestner. Thus Leblois was worked into the legal position of Colonel Picquart's "accomplice," and, as a civil accomplice, made Colonel Picquart subject to the civil jurisdiction.

This was all very ingenious. The only objection was that the girl Pays had been, in reality, Colonel du Paty de Clam's civil "accomplice" in the matter of the forged telegrams, occupying precisely the same legal position, in regard to Du Paty de Clam, as that occupied by Maître Leblois in regard to Colonel Picquart. In that instance, the law had been absolutely reversed, by the *Chambre des mises en accusation*, in order to admit of the escape of Cavaignac's cousin. On the present occasion, it is unnecessary to say that the gentlemen composing that Chamber, preserved a discreet silence.

The facts alleged against Picquart and Leblois were not true, and, if they had been true, they would have been quite immaterial, as all the world knew that the real reason for the furious campaign of Cavaignac and his band against Colonel Picquart, was simply that this gentleman had respectfully offered, on July 9th, to point out before any com-

petent Court the strong reasons that existed for believing that two of the documents produced by Cavaignac, on July 7th, did not refer to Captain Dreyfus, and that the third was a forgery. Of course, if Cavaignac's cousin, as now began to seem more than probable, had had any hand in this forgery, and if Cavaignac, on July 7th, knew or suspected this, it *was* a little awkward for the Minister of War, who evidently has strong views as to the reciprocal duties of members of the same family.

The truth as to the matter of the alleged communications made in 1897 by Colonel Picquart to his legal adviser is as follows. I quote from the *procès verbal* of Zola's trial before the Seine Assize Court in February, 1898.

Maître Leblois.

“ En juin 1897, j'ai reçu la visite du colonel Picquart, qui venait passer à Paris un congé de quinze jours.

“ Le 8 juin, il avait reçu à Sousse une lettre de menaces qui lui avait été écrite par un de ses anciens subordonnés (le lieutenant-colonel Henry), et il se trouvait ainsi dans la nécessité de consulter un avocat. Pour sa défense, il m'a fait connaître une partie des faits de l'affaire Dreyfus et de l'affaire Esterhazy. Je dis, messieurs, une partie des faits, car le colonel Picquart ne m'a jamais révélé aucun secret militaire dans le sens que la langue militaire attache à ce mot de secret.”

Colonel Picquart.

“ Ne me sentant pas tranquille, car enfin je ne savais pas où tout cela allait me mener—cela devait me mener à Gabès et à la frontière tripolitaine—j'ai cru devoir prendre des dispositions pour ma sûreté. Je suis parti pour Paris, j'ai pris conseil de quelques personnalités militaires avant, et je suis allé ensuite chez M. Leblois, qui était mon ami, et,

pour la première fois, je lui ai appris que j'avais été mêlé à l'affaire Dreyfus et à l'affaire Esterhazy.

“Je remis en même temps, autant comme dépôt que pour servir plus tard à ma défense, à M. Leblois un certain nombre de lettres du général Gonse—je crois qu'il y en avait en tout quatorze. Il y en a deux qui ont été publiées dernièrement dans les journaux contre ma volonté. Il y avait les réponses et quelques lettres ayant trait à ma mission. J'avais détruit préalablement celles de ces lettres qui avaient trait à des choses du service secret, notamment une lettre chiffrée relative à différentes petites choses. Je laissai M. Leblois maître absolu du moment où il aurait à intervenir et de l'usage qu'il aurait à faire de ce que je remettais entre ses mains. Il a agi comme bon lui a semblé, et je l'approuve.”

That is the truth, spoken in a simple manly way by the two Alsatian gentlemen who had loved France, but who had deemed that to love France was to love justice and to defend the principles of freedom. History will justify and crown them. But their condemnation by the group of men who loved injustice, and hated Republican France, was, of course, inevitable. One has only to read the letters of M. Brunetière, the Editor of the *Revue des Deux Mondes*, to M. Yves Guyot, published in the *Siècle* at the close of August, 1898, in order to realize that there was no extreme of pitiful insincerity, no miserable excuse or equivocation, to which the Catholic and military party in France were not prepared to have recourse, in order to retain in illegal custody the unfortunate Jew who had now become the symbol of religious hatred, and the focus of religious strife.

As M. Guyot, in one of his replies to M.

Brunetière, rightly pointed out, the matter had now passed beyond the sphere of the mere human personalities engaged in it, and the world was witnessing in France the violent shock and conflict of two opposing and irreconcilable principles : the principle of passive and unquestioning obedience to authority, which is the principle defended, for the sake of its own existence, by the Roman Catholic Church, and therefore, by such men as M. Brunetière, De Bonald, and Joseph de Maistre ; the principle of free enquiry and of unfettered criticism, which is the principle upheld by science, maintained by Protestantism, and proclaimed once for all in blood-red ineffaceable characters by the French Revolution. " En réalite, la polémique actuelle dépasse de beaucoup, non pas seulement nos personnalités respectives, qui sont peu de chose dans le drame qui se joue actuellement, mais elle dépasse même les personnalités en cause, ce malheureux martyr qui s'appelle Dreyfus, ce héros qui s'appelle Picquart, ce traître complet qui s'appelle Esterhazy, cet effroyable instigateur de toutes les machinations qui s'appelle Du Paty de Clam."*

I must add that it was with very great rejoicing that English critics followed the complete exposure of the fallacies and insincerities of the Editor of the *Revue des Deux Mondes* made, not only by M. Yves Guyot, but by that complete *charlatan*, M. Brunetière himself, in the correspondence between the latter, the Jesuit, and the former, the Protestant, in the *Siècle*. For English critics had not forgotten, and will take very good care never to

*M. Yves Guyot in the *Siècle* of August 25th, 1898.

forget, the deliberate attempt made by M. Brunetière, in his *Revue des Deux Mondes*, in the article called "*Après le Procès*," written and published after Zola's first trial, to mislead the foreign public. by leaving out all the important points, and misstating or distorting all the facts he did deal with. M. Brunetière's "*Après le Procès*" was very nearly as insincere a piece of polemic, as M. Cavaignac's speech to the French Chamber on July 7th. Fortunately, there are English critics who know more about the matter than M. Brunetière appears to know, or cares to admit that he knows. And, in their minds, Cavaignac the Intrepid will always be most intimately associated with Brunetière the Shameless.

LXI.

THE FIRST PRIEST WHO VENTURED.

ON Sunday, August 28th, 1898, M. Clemenceau published in the *Aurore* a letter which he had received from a Roman Catholic priest. The writer, though a Frenchman, was domiciled abroad, and, as M. Clemenceau frankly pointed out, the atmosphere and surroundings, being quite other than those of Catholic France, had doubtless had their effect in emancipating the mind of the writer.

I shall translate the letter in full, as the writer of it was the first French Catholic priest who, in a matter the ethics of which were so simple that a child could understand them, and yet so painfully urgent that they moved strong men to tears—the first French Catholic priest, I say, who ventured in this matter, to point out the clear obvious truth. And even he had to write from abroad, and his name had to be withheld ! O France, France—once loyally subject to the divine genius of Hugo, now slavishly subservient to a Cavaignac, an Esterhazy, and a Drumont !

The reason of the alliance of the Catholic Church with the *Etat-Major*, and of its unflinching, and most base support of the now proved and acknowledged iniquities of that unscrupulous body of men, is simple enough. The old dream of universal domination has never forsaken the Catholic Church. Ever since the quarrel between Henry the Eighth of England and the Pope, the Catholic Church has been scheming to recover its lost temporal supremacy, or, failing that, again to extend the sceptre of its spiritual supremacy over our own country. The extent to which the intrigues of the Catholic Church had been pushed in England during the second half of the nineteenth century, was revealed to the English public through the courage and vigorous action of Mr. Kensitt and his friends in reference to practices in the English Church relating to the Confessional. Any one who chose might now understand the matter. Both in England and on the Continent the Roman Catholic Church was simply playing its old unchanged

historic game of endeavouring to acquire, or to recover, universal material dominion, by first enslaving and possessing itself of the consciences and souls of men. And the French Army—which for the moment meant the *Etat-Major*—was of course indispensable, as an ally to the Church in carrying out its plan.

In France the Dreyfus case was of enormous assistance to the Church's chronic scheme and campaign, and one perfectly false and unprincipled man was of priceless value in making cunning use of the Dreyfus case as a lever. That man, of course, was M. Edouard Drumont, of whom we have had occasion to speak so often in the course of this work. His paper, the *Libre Parole*, was founded (in 1892) and financed by the Jesuits. The first president of its *Conseil d'Administration* was M. Odelin, who was the manager of various Jesuit establishments from 1882 to 1890. M. Drumont himself was simply a well-paid tool of the Jesuits, who carried their natural art of lying to a pitch of absolute scientific perfection. I think any well-informed French critic would agree with me that it may almost be said that the whole Dreyfus case was the work of this one man: Drumont, the professional Jew-exterminator, and the author of *La France Juive*.

In passing, I should like to point out that the reason of the persistent English idea that Russia had played some occult part in the Dreyfus case, was probably an insufficient apprehension of the enormous extent to which the matter was affected, especially at its outset, by religious and Antisemitic considera-

tions. Fully to understand the origins of the affair, it is necessary very carefully to study the papers which supported the French War Office in the year 1894—at the time of Dreyfus' arrest and trial. We shall then see that there is no need to fall back upon the surmise of any obscure relation existing between Dreyfus and Russia. I myself, following the natural track of English logical inference, at one time strongly held the theory. But further study of the case, and the acquisition of further facts, induced me definitely and finally to abandon it. Dreyfus was absolutely innocent, innocent even as regards Russia. But he was the victim of an extraordinary concurrence of circumstances. The moment the *bordereau* was discovered the real author of it, Esterhazy, and his friend Colonel du Paty de Clam began, with wonderful skill and astuteness, to work the Antisemitic press. The moment the torrent of religious hatred was set free—and we can trace in the papers of the period the exact point at which this took place—the thing was done. General Mercier, who had previously hesitated, in the face of the insufficient evidence, yielded to Drumont's pressure on November 7th, 1894—as every minister and general, since then, has yielded. After this, all that was necessary was to keep the ball rolling. This was done by continuous pressure—*chantage*, as the French call it—exercised through the *Eclair*, the *Libre Parole*, the *Petit Journal*, and the other Antisemitic papers, and also by frequent forgeries executed by Esterhazy and Du Paty de Clam, or their accomplices, and accepted by the War Office. In fact, as Jaurès the Socialist orator,

had the courage in August, 1898, to point out (with perfect truth) to the *ouvriers* he was addressing, the French War Office had for two years maintained in its *annexe* an *atelier*, or work-shop, of forgers. How creditable to the honesty and intelligence of the French War Office!

This short retrospective digression will serve to make matters clearer. I now give the letter, written at the painfully late date of the end of August, 1898, of the first Catholic priest who ventured to speak out in the cause of truth and humanity. If the words I am writing are destined to have any effect on English thought, I may venture to express the hope that my countrymen, who are just now face to face with a wave of Catholic reaction in England, will take the lesson to heart. At any rate, I record, with a mixture of pain and pleasure, the protest of the single honest Catholic priest; made, remember, during the imprisonment and just previously to the solitary confinement of Picquart, the single honest French soldier.

“THE QUESTION OF HONOUR.

“In the discussion which at the present moment so profoundly troubles France, there is a ceaseless reference to the question of honour: the honour of the army; the honour of France. Some reflections upon the matter from this particular point of view may, perhaps, not be out of place.

“A captain in the French army, who, waiving the accusation one day made against him, was known to be a perfect gentleman, has been suspected of treason, convicted and condemned, and, for four

years, has been undergoing a terrible punishment. But certain doubts have arisen as to his guilt, and serious documentary evidence has been acquired as to the commission of a grave error.

“It would seem that simple honesty in such a case would compel the reconsideration of the grounds of the condemnation. But no; the *Etat-Major* of the army has emphatically declared that military honour was involved in maintaining, against all-comers, the decision of the Court Martial. Honour at this point ceased to be based upon honesty.

“Moreover, it has been proved that the most important of the documents upon which the sentence was founded, were not shown at the time of the trial, either to the accused man or his counsel. According to the law, this single omission in itself rendered the judgment null and void, and made a revision imperative. But the *Etat-Major* has ignored the law, just as it ignored the question of honesty, the Government and the magistracy have sided with the army, and all the official authorities have combined in the attempt to crush the men of independence who demanded light and justice, in the name of the human conscience, themselves also invoking the honour of France.

“In spite of the efforts of our official authorities who have formed a coalition with the view of stifling discussion and preventing the demonstration of the truth, every day new documents accumulate which make that truth clearer, and, not only is it no longer possible to deny the illegality of the sentence, but the most intelligent and the most attentive observers, lawyers, professors, *savants*, distinguished

and honourable men belonging to every calling, have arrived at an absolute conviction that the condemnation certainly technically illegal, is also entirely unjust.

“The proofs of this abound, in spite of the efforts made to prevent them from being seen: the real traitor has been discovered and pointed out; the foreign diplomats who profited by his treason have denounced him; even the wages that he received for his treachery have been specified.

“And yet, in spite of all these incentives, the French Government, the chiefs of the army, the magistrates, refuse to listen to a word, and their only care is to whitewash the newly accused person.

“What is there then at the bottom of this dark abyss? People say that, if the real culprit were punished, he would give evidence implicating persons in very high positions, and that this must be prevented at any cost. And that is the sort of ‘honour’ which there is such a talk about saving!

“Let the accomplices be quite sure of this: *tout se fait, tout se sait*. The proverb will turn out quite correct. And public opinion will never be satisfied till the whole truth is known, and till every guilty person concerned in the matter has met with the punishment which he deserves.

“People have been led to cry ‘Death, Death,’ against those who cried ‘Justice’; crowds of honest persons who could not bear to think that the whole official world was unreliable have formed themselves into mobs; the majority of the country is still at that point, and those who are deceiving it take very good care to keep up the delusion, under the pre

tence that proofs demonstrating the innocence of the condemned man have not been produced.* This is an unworthy piece of Jesuitism. As a matter of fact, it is the person accusing another who is bound to supply the proofs; moreover, in the case before us, those who believe in the innocence of Dreyfus have offered to produce their proofs; and it is the accusers who have refused to listen.

“The thing is not only unjust, it is also ridiculous and odious. As to the *Etat-Major*, it has gone out of its way to incur contempt and dislike, and it has only itself to consider. But, if it is the country that is taking the wrong course, what then becomes of the honour of France in all this? If the condemned man at Devil’s Island is really a martyr, then France becomes a tyrant, it is she who is the executioner, for the Government, that is to say the President of the Republic, in conjunction with his Ministers and the two Chambers, and also with the army and the magistracy, must be considered as representing France.

“But France a tyrant! France an executioner! The very idea is frightful. And, in fact, France is oppressed as if by the weight of some horrible nightmare, and one cannot help asking what the waking

*This is the position Brunetière the Shameless affected to take up. I have ventured to attach that epithet to the eminent Editor of the *Revue des Deux Mondes* because it is, in my opinion, a shameless piece of hypocrisy in a man of M. Brunetière’s culture to pretend not to know that the *onus* of proof is on the accusers; that the friends of Dreyfus asked nothing better than to be allowed to produce their proofs and their witnesses; and that the one method of action of his, Brunetière’s, friends, the *Etat-Major* and the Government, had been, by snatching at every possible legal branch or twig, to prevent the proofs from being produced, and then to sneer at their opponents for not producing them. M. Brunetière is too clever a man not to have known this perfectly well. But he is as insincere a Jesuit as ever lived.

will be like. In the meantime, the country is forfeiting the world's respect.

“The other nations had acquired the habit of admiring France and of loving her as *the* generous nation, always impassioned for the right; but they are disconcerted and stupefied at seeing her trample under foot the very principles of liberty which she had herself so gloriously proclaimed. It would perhaps be going too far to say that, in the Dreyfus affair, those who think more of what they call their ‘honour’ than of justice are labouring to bring France to shame, but, most assuredly, they are causing her to lose the esteem of other peoples.

“The world is witnessing, at the present moment, a vast work of ruin: the material ruin of Spain and the moral ruin of France. Very well, at the first glance, it is impossible not to notice, among the causes of these deplorable disasters, the alliance of militarism and of Jesuitic clericalism, for those who have been most conspicuous in the Spanish iniquities, just as in the Dreyfus affair, are professional soldiers and monks, the army and the clergy. It is the doubly baneful influence of those two agents which has caused the decline, among the great Powers, of nations possessed of gifts fitting them for the noblest destinies.

“Independent voices are asserting, but it is impossible to repeat it too often; that militarism and clericalism are the two sore spots in modern societies, because they are both opposed to justice and liberty. They have ruined Spain from every point of view, and, while waiting to accomplish her material ruin, they are already on the road to effect the moral ruin of France: they are dishonouring her.

"It only remains to know how France will digest the disgrace so strong a dose of which they are endeavouring to compel her to swallow.

"A French priest."

Most true, and most admirable. But why did only one French priest speak—and only one French soldier ?

LXII.

THE THUNDER-BOLT.

M. CAVAIGNAC'S *enquête*, though it had for result the dismissal of Esterhazy from the army,* was, none the less, as I have pointed out, a mere farce. It was, moreover, a wicked farce, for it was not undertaken for the sake of justice, but purely for the sake of retarding and rendering still more impossible the rehabilitation of Captain Dreyfus by trying and punishing the real traitor *on charges other than those of treason*.

That was the real reason of M. Cavaignac's partial move against Esterhazy. The idea was to punish Esterhazy, even, if necessary, to remove him from

* With a pension and still in possession of his cross ! Colonel Picquart, for refusing to acquiesce in the illegal punishment of an innocent man and in the military government of France by means of forgeries, was dismissed from the army *without* a pension.

the army, while leaving untouched and undealt with the main question—that of treason. For to deal with this question would have been to reopen the Dreyfus case, and Esterhazy condemned for treason would have meant Dreyfus triumphantly cleared of that charge.

Therefore M. Cavaignac so arranged matters that the real question at issue should never be even approached. Yet M. Cavaignac, and every intelligent Frenchman, must have known, with precise and absolute knowledge, that the charges against Esterhazy made by Mr. Conybeare and by Count Casella, speaking, both of them, directly in the names of Colonel Schwartzkoppen and of Colonel Panizzardi, were true beyond any possible denial.

M. Cavaignac, and every intelligent Frenchman, must therefore have known, with precise and absolute knowledge, that Esterhazy had committed the very crime for which Dreyfus was condemned, and that to try the former for any less offence was to turn the so-called trial into a most iniquitous travesty of justice.

However, Esterhazy himself appears to have considered that his chiefs were acting with great impropriety in taking any steps at all against him, after having countenanced and protected him for so long. His *amour propre* was deeply wounded at the prospect of having to part with the uniform he had sullied. Besides, think of the gross ingratitude of his superiors! Had he not, more than any man living, assisted them to shroud their crimes in darkness, and to maintain the condemnation of an innocent man?

Therefore Esterhazy at last grew indignant. A wave of righteous anger passed over him. At the time of the inquiry conducted by M. Bertulus, he had been on the point of "talking." But, thanks to MM. Bertrand and Feuilleley's clever manipulation of the law in the interest of Du Paty de Clam (which, at the moment, happened also to be Esterhazy's interest), that danger had blown over. Esterhazy, who was about "to unbutton himself," changed his mind and withheld the threatened revelations.

This time, however, it was a little too much. Even M. Cavaignac's farce of an *enquête* seemed a serious tragedy to Esterhazy. So he at length turned savagely upon his accomplices in high quarters, and began to "talk" in earnest. At the *enquête* he made some extremely annoying observations with respect to the part played in the matter by Colonel du Paty de Clam, and Colonel Henry. And, when the inquiry, such as it was, was over, he, almost immediately, shook the dust off his feet and took his departure from a Paris which was no longer worthy of him. His intention was "to unbutton himself" with absolute freedom elsewhere.

He could easily have been detained. But the authorities, from the President downwards, were afraid of him, and his flight was connived at. It is said that Colonel du Paty de Clam had an affecting last interview with his fellow-conspirator, and supplied him with cash for the journey; cash taken, of course, from the secret funds at the War Office.

The exact hour of Esterhazy's flight from Paris is shrouded in mystery. But about the middle of

September, 1898, we find him undeniably in London "confessing" to the "Observer" and the "Daily News." His "confessions" contained a singular mixture of truth and falsehood. He admitted, in the presence of several witnesses, according to Mr. Strong, the Paris correspondent of the "Observer," that he had written the *bordereau*. But it had for many months been absolutely certain, for scientific and critical reasons and also owing to Colonel Schwartzkoppen's statements made public through Mr. Frederick Conybeare, that Esterhazy was the author of that document. Therefore Esterhazy's "confession" really did not seem to add much to facts already acquired. History had not waited for that gentleman's tardy revelations.

Esterhazy's chief desire seemed to be to pose as a sort of *retire* or mercenary of the Middle Ages, with no idea but that of obeying orders, and a dog-like devotion to his employers. However, the facts were unfortunately too strong for Esterhazy's idealization of himself. Behind him in the past lay the *bordereau*; the interview with Colonel Schwartzkoppen on October 16th, 1897, at which he besought the German attaché to shield him, Esterhazy, by stating to Madame Dreyfus that her unfortunate husband was the traitor; the 162 documents sold to Colonel Schwartzkoppen; the fact of the monthly wages of 2000 francs received from that officer; and the unspeakably damning letters to Madame de Boulancy.

In following Esterhazy's wanderings I have got a little in advance of the dates. Let us turn back for a moment.

On Saturday, August 27th, Esterhazy appeared for the second and last time before the *conseil d'enquête*. The 28th was Sunday, and the week that followed was perhaps more crowded with important and dramatic incident than any single week throughout the whole course of the story.

On Tuesday, August 30th, Colonel Henry was suddenly sent for by the Minister of War. He was interrogated in the presence of Cavaignac, General Roget (Cavaignac's *chef de cabinet*), General de Boisdeffre, and General Gonse.

The mere citation of the names of the sole witnesses to what took place, will be sufficient to prove to any reader who has followed this narrative attentively that it is not possible wholly to rely on the account of the interview given to the public.

According to the account given to the papers, Colonel Henry, on being sharply pressed by Cavaignac, finding himself unable to give the name of the supposed agent who had brought him the *ce Juif* document,* altogether broke down, and confessed that he himself had written it—with a view to completing the chain of evidence against Captain Dreyfus.

Cavaignac, Roget, etc., gave out to the papers that Colonel Henry also stated that he forged the document on his own sole responsibility, and that he was entirely “alone” in the matter.

This statement of Cavaignac, Roget, etc., is almost certainly untrue. It is believed, on the contrary, that Colonel Henry named at least one of his accom-

* Read in the tribune by Cavaignac, on July 7th.

plices : probably one of the gentlemen then listening to him in Cavaignac's study.

It was this incautious frankness on the part of Colonel Henry which sealed his fate.

He was at once put under arrest, and despatched to the fortress of *Mont Valérien*.

On the next day—Wednesday, August 31st—most likely at about three o'clock in the afternoon, he was either murdered (as many good authorities believe), or committed suicide.

There was no public inquiry, or autopsy. The matter was carefully hushed up by the authorities, as in the case of the "suicide" of Lemer cier-Picard. The statement given to the papers was that Colonel Henry was found lying on the floor in a pool of blood, his throat scientifically cut "on both sides" with a razor. It is a physical impossibility for any person with his own hands to sever the carotid artery "on both sides," in the manner described in the meagre official narrative. Moreover, it was illegal to leave the prisoner in possession of a razor, or to supply him with one. Even while confined in the prison of *La Santé*, on charges of minor importance, Colonel Picquart was only allowed the use of a wooden knife and fork.

If Colonel Henry murdered himself, he certainly did so "by order." That is to say, the Staff officer who had a two hours' interview with Colonel Henry just before the latter was found dead, was instructed to set before him on the one hand the prospect of being tried by Court Martial with closed doors, publicly degraded like Captain Dreyfus, and then sent to penal servitude for life, or on the other hand,

if he would "do justice upon himself," the prospect of knowing that public admission would be made that he had saved his "honour," and that a pension in this case, would be given to his widow.

An arrangement of this sort, on the part of Cavaignac and Henry's chiefs (that is Henry's actual accomplices!) would be equivalent, morally, to murder. But it is unfortunately, the *best* that can be said for them.

They certainly kept their word, for after Colonel Henry's death, they started the novel theory of the *faux patriotique* (the forgery committed for love of one's country!) and exalted the unhappy forger into a martyr and a hero. General de Miribel's wife wrote a sympathetic letter to Madame Henry. Madame Renouard, the wife of General Renouard, called personally upon the widow. So did General de Boisdeffre. So did General Gonse.

As to M. Brisson, he first carefully tested the public pulse by having reports of the feeling in the provinces sent in to him by the prefects in all the departments, and then, finding that a reaction in favour of revision had set in, considered that the time had come when he might himself safely veer round in that direction.

I am most anxious not to seem ungenerous in my estimate of M. Brisson. But it is impossible to forget that the shameful proceedings which I have already described, directed against Colonel Picquart, and undertaken in favour of Esterhazy and Du Paty de Clam, could not have been carried out without the tacit connivance of the responsible Head of the Government. It is also impossible to forget that the

most ample materials, both moral and legal, for effecting a revision, had been lying for weeks, unused, in M. Brisson's hands—and presumably, had not heaven hurled the thunder-bolt of Colonel Henry's suicide at the head of the time-serving and tardy Prime Minister, would never have been used. Out of the four or five "new facts" which ultimately decided the Court of Cassation to decree the revision, *all except one were antecedent to the discovery of Colonel Henry's forgery.*

When history records that it was Brisson who at last decided upon the revision of the Dreyfus case, it will also record that he did not so decide until he felt fall upon his hand a drop of blood that had trickled from the razor of Colonel Henry.

The death of Colonel Henry was instantly followed by the resignation of General de Boisdeffre—the Chief of the General Staff. General de Boisdeffre, in fact, wrote his letter of resignation before Henry's death, immediately after that officer's confession of the forgery.

The letter, addressed to M. Cavaignac, and dated August 30th, 1898, is as follows:—

"Monsieur le ministre,

"Je viens d'acquérir la preuve que ma confiance dans le lieutenant-colonel Henry, chef du service des renseignements, n'était pas justifiée. *Cette confiance, qui était absolue*, m'a amené à être trompé* et à déclarer vraie une

*"Deceived" as to a document which M. Hanotaux, months before, had given his word of honour to Count Tornielli should never be made use of, on account of its obvious and utter worthlessness.

Truly, if impudence would win back Alsace and Lorraine, General de Boisdeffre would long ago have led France towards the eagerly desired *revanche*!

pièce qui ne l'était pas, et à vous la présenter comme telle.

"Dans ces conditions, Monsieur le ministre, j'ai l'honneur de vous demander de vouloir bien me relever de mes fonctions.

"BOISDEFFRE."

General de Boisdeffre, I regret to say, is not speaking the truth in this letter. The simple proof that he is not speaking the truth is that the document in question was never shown to Colonel Picquart, the Chief of the Intelligence Department, as it naturally should have been, or placed, as it should have been, in his charge.

It is because General de Boisdeffre had *not* "absolute confidence" in Colonel Henry, and Colonel Henry's document, that he, the General, in common with his assistants, Gonse and Billot, took such particular care not to submit it to the honest scrutiny of Colonel Picquart. The document, as we now know, was merely described by Gonse, Boisdeffre and Billot, to Colonel Picquart, and it was because Colonel Picquart fearlessly exclaimed "*C'est un faux*," that he was despatched to Gabès, to meet his end, his chiefs hoped and desired.

That it was Colonel Henry, their fellow-plotter, who met his end in *Mont Valérien*, instead of Colonel Picquart on the Gabès route, was not the fault of Gonse, Boisdeffre and Billot. It is not the first time that Providence has used an honest man—General Leclerc, in this instance—to circumvent and reverse the schemes of scoundrels. Bear in mind that immediately after Colonel Picquart's departure, Colonel Henry was chosen by General de Boisdeffre to succeed Picquart as Chief of the

Intelligence Department. General de Boisdeffre probably fixed upon Henry because he was stupid and uneducated, and could be the more readily used as a tool. A man who cannot speak a single foreign language, and can hardly speak his own correctly, is not chosen for such an important post without some very distinct motive on the part of the person who selects him. That, I think, amounts to an absolutely certain scientific inference.

Remember also that Colonel Henry (who was at that time merely Commandant) was at once put upon the list for promotion to the grade of Lieutenant-Colonel.* If this promotion was not for the specific act of forgery, what was it for? If the document had been brought to the War Office in the ordinary course by an agent, why promote, not the agent, but the Head of the Intelligence Department?

*He had received the Cross of the Legion of Honour in the year 1895, for his distinguished services rendered to the General Staff at the trial of Captain Dreyfus.

LXIII.

“INTREPID” IS NOT THE WORD!

IF the “discovery” of Colonel Henry’s forgery had been a genuine discovery, if, in other words, Cavaignac had been an honest man, he would, the instant that the forgery was detected, have proceeded to advocate the revision of the Dreyfus case. Of this there can be no doubt. Colonel Henry was one of the principal accusers of Captain Dreyfus, and that officer’s conviction was due almost as much to his efforts as to those of his worthy coadjutor, Colonel du Paty de Clam. Therefore the discovery that the actual evidence against Dreyfus was so weak that it had to be supplemented, two years after the condemnation of the accused man, by a vulgar forgery, at once vitiated the whole case for the prosecution. If there had been no other imperative reason for the revision of the trial, this in itself would have been sufficient. All persons possessed of any sense of logic recognised this fact at once, and the bias of public opinion, even in France, instantly swayed towards revision.

Not so Cavaignac. He never flinched for a single moment, and his indomitable and pernicious obstinacy at this point verged upon the heroic. When forced to abandon the Henry forgery, he and his invaluable assistant, Captain Cuignet, defiantly took up the position that every other document was genuine; that each had been pitilessly tested, and found to stand the test.

Cavaignac forgot the *nom de plume* on the *carte de visite*, which General de Pellieux at Zola's first trial was good enough to inform the world was “the same as that on the letter [Henry's forgery] which accompanied it.”

Who inserted this *nom de plume* on the genuine visiting card ?

Cavaignac, and the confident Cuignet (who seems to have been quite as “intrepid” as his master !) forgot that he, Cavaignac, had with his own mouth proved the existence of at least *two* more forgeries.

For Cavaignac on July 7th, 1898, had presented the Henry forgery to the Chamber of Deputies as the “*irréfutable*” proof of the guilt of Captain Dreyfus.

He had then gone on to say that he had carefully “*pesé l'authenticité matérielle et l'authenticité morale de ce document.*”

In regard to the material authenticity, the very point as to the structure of the writing-paper invoked by M. Cavaignac on July 7th as an absolutely certain proof of genuineness was afterwards stated by Cavaignac and Cuignet to have led to the “discovery” of the forgery.

In regard to the moral authenticity, M. Cavaignac on July 7th, sought to establish this in the following terms, which are most important to remember :—

“Elle résulte d'une façon *indiscutable*, de ce que ce document fait partie d'un échange de correspondances qui eut lieu en 1896. La première lettre est celle que je viens de lire [the Henry forgery]. Une réponse contient deux mots qui tendent évidemment à rassurer l'auteur de la première lettre. Une *troisième lettre* enfin, qui dissipe

bien des obscurités, indique avec *une précision absolue, avec une précision telle que je n'en puis pas lire un seul mot, la raison même pour laquelle les correspondants s'inquiétaient.*"

It follows that the alleged "answer" of Colonel Panizzardi to Colonel Schwartzkoppen, containing the wonderful "two words of reassurance," must be a forgery as well as the first letter.

It follows that the third letter—the reply to the reply—in which Schwartzkoppen, Cavaignac asserted wrote with such "absolute precision" that he, Cavaignac, did not dare to make a word of the letter public, must be a forgery, as well as the Henry letter, and the alleged first reply.

For it is quite clear that Schwartzkoppen and Panizzardi cannot possibly have written two "precise" and genuine letters dealing with the matter contained in a forged letter, which they knew nothing about!

That makes two more certain forgeries of which Cavaignac the much more than "Intrepid," and Cuignet the equally "Intrepid" and much more than that, must undoubtedly have been aware, at the very moment when they were assuring France and Europe that *every paper* in the Dreyfus *dossiers*, except the Henry document, had been most rigorously tested, and was beyond all doubt reliable.

Besides this, there was another certain forgery in the Dreyfus *dossier*, which Cavaignac and Cuignet found it convenient to forget, or not to refer to. That is the instantaneous photograph of the alleged meeting between Colonel Schwartzkoppen* and Colonel Picquart at Carlsruhe. We know by the

* See Section XXXIII.

letters relating to this photograph published in the *Jour* that it really existed, had its origin at the War Office, and was deposited among the other forgeries there.

We know by the complete collapse of M. Possien and Colonel Picquart's accusers, when he charged them with libel, and by the proved fact that Colonel Picquart had never once left Paris since his return from Africa, that the photograph was another impudent forgery.

But, being in or annexed to the Dreyfus *dossier*, this forgery must also have been "tested" and was also vouched for by Cavaignac and Cuignet.

That makes at least four proved and certain forgeries, quite distinct from the Henry forgery, which were under the eyes and hands—and "lamp"—of Cavaignac and Cuignet at the very moment when they assured the world that every document, save only the Henry document, had been tested and found genuine.

Moreover, when they thus guaranteed *all* the remaining documents in the Dreyfus *dossiers*, they by inclusion also endorsed the famous photograph of the alleged letter of the German Emperor to Count Münster in reference to Dreyfus, the forgery for which M. Hanotaux was silly enough to pay more than a thousand pounds, and which was the big "bomb" of that very "ultra-secret" *dossier* upon which Cavaignac the much more than "Intrepid" fell back as his last line of defence.

Recollect then that, at this point in the story, the position of Cavaignac, Cuignet, the whole General Staff, and all the antisemite journalists was that

every one—not some, but *all*—of the documents with which the *dossiers* had been fraudulently stuffed were (with the one exception of the Henry paper) beyond question genuine.

Realise that that was the position of these men, Cavaignac, Boisdeffre, Déroulède, Drumont, etc., during the first week in September, 1898.

Is not the English reader getting sick of all this sustained and “intrepid” lying?

If so, it is only fair to say that the English reader cannot be more thoroughly sickened and disgusted than were the nobler and more high-minded minority in France.

It is now quite clear that Cavaignac's admission of the Henry *faux* was simply due to awkward statements made by Esterhazy when he appeared before the Military Council of Inquiry on August 24th and August 27th, 1898, and, even more, to pressure put upon the Minister of War by the Italian Government. Cavaignac had no doubt been warned that the terrible article of the *Corrieri di Napoli** was coming. Hence the sudden brilliance of Captain Cuignet's lamp, and the “discovery” on the night of Sunday, August 14th (sadly late in the day), by the diligent use of the lime-light, that a letter, one sheet of which had been torn away from

*In this article it was clearly explained that Count Tornielli had, as long ago as the close of 1897, put the French Government in full possession of the facts as to the apocryphal nature of Henry's document. It is not too much to say that, throughout the whole of 1898, every responsible French Minister must have been fully aware that it was a forgery.

The French Government was quite unable to dispute the truth of the article in the *Corrieri di Napoli*; except by some evasive remarks, the insincerity of which was immediately exposed in the *Siècle*.

the genuine *canaille de D...* document and gummed on, could not possibly be authentic! The true search-light was not turned on in Paris, but at Rome.

When Cavaignac and Cuignet made their wonderful "discovery" with the lamp, and for a moment misled foreign opinion into believing that the so-called "discovery" was *bond-fide*, the French Government had for some eight or ten months been in absolute possession of the fact that the document in question was a forgery. That French Ministers, called by courtesy gentlemen, should have stooped to such a depth of perfidy seems almost incredible.

They saw the forgery produced by General de Pellieux at Zola's first trial, and they saw the effect of this production upon the minds of the jury. They suffered Zola to be condemned, practically upon this forgery, without a word.

They saw the forgery produced by M. Cavaignac in the Chamber on July 7th, and they saw the effect of this production upon the minds of the deputies. They suffered the deputies to be deceived, and in their turn to deceive France by the universal *affichage* of the forgery, without a word.

From first to last, French Ministers had conspired with the officers of the General Staff to deceive France, and to deceive Europe. There was no question of it. To piece out the exact portions of responsibility, at this point in the story, was impossible. But it was perfectly clear that the French Government had, for months, if not for years, used, or permitted the use of,* forged documents.

*The line of demarcation is very slight.

M. Brisson himself cannot be entirely exonerated from this charge. He must have known that the secret *dossiers* at the War Office were so many nests—wasps' nests—of shameless fabrications. He must have known this *before* Colonel Henry's confession. So must Cavaignac. So must Félix Faure, the President. So must Méline, and Hanotaux, and Delcassé, and Billot, and Boisdeffre, and Gonse, and several others.* As M. Ranc pointed out in the *Radical*, and as the Italian official papers took pains to explain in the greatest detail, Count Tornielli, the Italian Ambassador, unable to endure the attribution to his military attaché, Panizzardi, of such a piece of imbecility as the *ce Juif* document, presented himself before M. Hanotaux at the time of Zola's first trial, and gave M. Hanotaux his King's and his own word of honour that the document was a forgery.

M. Hanotaux gave Count Tornielli *his* word of honour that no use should be made of the document.

Very shortly afterwards, General de Pellieux and General de Boisdeffre were despatched, or allowed, by the French Government to procure the condemnation of Zola by the production of this same forgery.

It was the warning that the revelation of the part played by Count Tornielli and M. Hanotaux in the matter was about to be made by all the Italian

*There is just a dim possibility that General de Pellieux, who is an impulsive man, may have been taken in by General de Boisdeffre and General Gonse, and may have believed that the Henry document was genuine, when he flourished it in the faces of the jurors, at Zola's first trial.

But, if so, though General de Pellieux's honour as to this point would then remain untarnished, his incapacity and credulity must be simply astounding.

papers which, in conjunction probably with other very serious hints, forced Cavaignac's hand, and *compelled* him, in hot haste, to take the (apparent) initiative by arresting Colonel Henry on August 30th.

It was the fear of further revelations from the lips of that unfortunate officer which led Cavaignac to violate the law by plunging Henry into the silence and loneliness of *Mont Valérien*, instead of in the regular course, sending him to the *Cherche-Midi* prison, and it was this haunting and terrible dread which led to the illegal supplying of the convenient razor. Lemer cier-Picard (who had acted under Henry's orders) was content with the window-knob and the cord of the blind. But a forger attached to the General Staff, and enjoying the intimate confidence of General de Miribel, * and General de Boisdeffre, might be expected to be desirous of a more ambitious *exit*!

Taking simply the *a priori* ground, it is not ungenerous to say that the man who pretended, on July 7th, before the Chamber of Deputies, to believe in a document so childish that every critic of any competence condemned it the moment it was produced by General de Pellieux at Zola's trial, in February, 1898; it is not ungenerous to say that the man, being a man of learning and culture, who allowed this document to be placarded all over France as "*an absolute proof*" of the authenticity of other documents, and therefore, in his opinion,

* General de Miribel was succeeded by General de Boisdeffre, as chief of the General Staff.

as "*an absolute proof*" of the guilt of Captain Dreyfus, and who, moreover threw Colonel Picquart into prison for respectfully offering to prove the falsity of this very document, and forcibly arrested the steady progress of the one honest magistrate, Bertulus, towards the discovery of the truth in the matter of the no less detestable forgeries committed by Colonel du Paty de Clam,—it is not ungenerous to say that this man, Cavaignac, would never, a few weeks later, have taken a step which resulted in proving him to be, at the very best that can be said for him, an absolute fool in matters relating to criticism, had not his hand in some way been forced. I hold that to be a very safe and certain inference.

It is also believed that Esterhazy has delivered to Schwartzkoppen—that is, to Germany and Italy—not only documents having reference to military manœuvres, etc., but also much more important notes relating to the private characters and careers of prominent French generals and statesmen.

These were probably held *in terrorem* over the heads of Cavaignac and the *Etat-Major* by the Italian and German Governments, and it is probably the threat of the publication of some of these documents in German and Italian—that is, in all the world's—journals, that induced the hurried journey of Félix Faure from Havre to confer with M. Delcassé, and the strange consultation on the platform of the station, at the President's arrival. The arrest of Colonel Henry almost immediately followed. He was to be "isolated," to use M. Cavaignac's expression, and sacrificed as the scape-goat.

But be quite sure of this, M. Cavaignac's intention, in arresting Colonel Henry, was not to produce light, but to obscure light; not to convict and punish the more important guilty persons, but to protect and save them; not to do justice to Dreyfus, but, if possible, for ever to avoid the necessity for doing so. Cavaignac the Intrepid was never more "intrepid" than at the point when his intrepidity took on it the form of loyalty, and his malignant cunning became for a moment veiled under an appearance of a desire for justice and truth.

Colonel Henry, the rough half-educated peasant's son, unluckily, played the exact game of Cavaignac, "isolated" himself, and, as already narrated, committed suicide in his cell—or, at any rate, perished in his cell—during the afternoon of August 31st. That, with the equally unfortunate Lemercier-Picard, made two most dangerous witnesses wiped out; by their own acts, or apparently so. How Cavaignac must have chuckled and rubbed his hands that night!

However, on Saturday, September 3rd, the Government summoned up sufficient courage to express themselves in favour of a revision of the Dreyfus case.

To Cavaignac the very notion of possible justice done to Captain Dreyfus,—and, consequently, done upon the distinguished conspirators and forgers of the *Etat-Major*,—was as unendurable as it was to Félix Faure.

"But if Dreyfus is tried again, the trial must be public, and then the secret documents [that is,

Cavaignac's friends' pet forgeries] cannot be produced, and Dreyfus will probably be acquitted," the cousin of Du Paty de Clam almost shrieked !

He then indignantly resigned his post of Minister of War, protector of forgers, and placarder of forged documents.

LXIV.

BERTRAND AND FEUILLOLEY CENSURED BY THE HIGH COURT.

It will be remembered that on August 5th and August 12th, 1898, the *Chambre des mises en accusation* by two *arrêts* of which the exact text was kept secret, saved and whitewashed, first, Colonel du Paty de Clam, the forger, and, secondly, Esterhazy, his accomplice.*

The two *arrêts*, or judgments, of the Chamber of Accusation, were an *arrêt* pronouncing the incompetence of M. Bertulus *en fait et en droit* in the matter of Du Paty de Clam, and an *arrêt* of *non-lieu*† in favour of Esterhazy and the girl Pays.

Against these two iniquitous decisions, which I have already criticised, Colonel Picquart appealed to the Court of Cassation.

The appeal was heard on Thursday and Friday,

*See Section LVI, entitled "The Chamber of Knaves."

†That is to say, a decision that there was no case, no ground for taking further proceedings,

September 1st and 2nd. The exact text of the *arrêts* delivered on August 5th and August 12th by the Chamber of Accusation was now for the first time made public. As every one had expected, the insincere and evasive nature of these documents perfectly accounted for the fact of their having been withheld from view till the very last possible moment.

The Court of Cassation rightly annulled and censured the *arrêt* of August 5th: that which declared the magistrate Bertulus incompetent to proceed further in the case of Du Paty de Clam. As I have already pointed out, this decision of the Chamber of Accusation, prompted by Cavaignac, Bertrand and Feuilleley, and actively seconded, it is feared, even by M. Sarrien, was glaringly and shamelessly illegal.

But—this is the point—the second *arrêt*,* as Procureur Général Bertrand, and the Procureur of the Republic, Feuilleley, foresaw and counted upon, rendered this *cassation* of the first *arrêt* of no result in practice. For this second *arrêt*, of *non-lieu*, was not subject to the revision of the Court of Cassation, for the simple reason that it is held in French law to be impossible for the *Chambre des mises en accusation* to conspire with the Ministry of Justice, with a view to returning a manifestly absurd and unrighteous verdict of *non-lieu*.† The Ministry of Justice was, in this case, represented by Procureur

*That of August 12th, pronouncing a *non-lieu* in the case of Esterhazy and the girl Pays.

†“Attendu qu’il est impossible d’admettre, que le ministère public et la Chambre d’accusation se mettent jamais d’accord pour faire échapper un coupable.”—Written by a French *jurisconsulte* about the year 1825, and quoted on September 1st, 1898, at the Court of Cassation.

Général Bertrand, who, by taking very good care not to appeal against the *ordonnance* of *non-lieu*, did, as is obvious, the very thing which is held in French law to be so detestable and dishonourable as to be practically out of the question. Cavaignac, Brisson, Sarrien, Bertrand, Feuilleloy, and the members of the *Chambre des mises en accusation*, knew this, and they, so to speak, traded upon their credit,—or, rather, upon the historic credit of the French Bar, and of French justice.

For these men, in order to save the cousin of the Minister of War from being convicted of a most despicable forgery, as degrading as that committed by the unfortunate Colonel Henry, or worse, did the very thing which they knew that the Court of Cassation would be legally unable to admit the possibility of their having done. Because they knew that an action of this kind was regarded as so base as to be outside the purview of the higher Court, they deliberately committed that action. The Prince of Wales might, if he so desired, rob an orchard with a reasonable prospect of impunity, for the simple reason that the *a priori* improbability of his doing so would be so great that no one would believe that he had done it. That is the sort of principle which these people acted upon. In the teeth of the clearest and most convincing evidence, and in the teeth of the perfectly lucid and sound *ordonnance* of the *juge d'instruction*, Bertulus, the *conseillers* of the *Chambre d'accusation*, who had been carefully picked (*triés*) by Périvier the Strong, returned a verdict of *non-lieu** in the case of

*See Section LVI.

Esterhazy and the girl Pays, and this verdict, or *arrêt*, of *non-lieu*, also saved Du Paty de Clam from imprisonment or penal servitude, because, in spite of the annulling by the Court of Cassation of the *arrêt* which asserted the incompetence of Bertulus in regard to Du Paty de Clam's particular case, any further civil proceedings against that officer now became impossible. Why impossible? Because he was merely the accomplice of Esterhazy and the girl Pays, and as these latter persons had been completely whitewashed by the *non-lieu*, it was impossible to prosecute a man as an accomplice of a crime which, from the legal point of view, had never been committed at all, the two principals having been acquitted by the *arrêt* of *non-lieu*.

That was the elaborate and temporarily successful *tour de procureur* arranged by these wretched *farceurs*, Procureur Général Bertrand, Procureur of the Republic Feuilloley, and the members of the *Chambre des mises en accusation*, acting under the instructions, or with the direct permission and connivance, of three masters who have for ever wrecked their honour, even as they have done their utmost to wreck the honour of France, before history.

These three masters were Sarrien, the master of Bertrand, Feuilloley, and the *Chambre des mises en accusation*; Brisson, the master of Sarrien; and Cavaignac, the master of Brisson—and the humble servant of the *Etat-Major*.

Du Paty de Clam was subsequently * dealt with, but very tenderly and gently, by General Zurlinden.

* On Monday, September 12th.

He was "put on half-pay,"* as we call it; his pay was actually reduced to two-fifths of the regular amount.

But here again, as in the case of Esterhazy, the greatest possible care was taken not to go to the root of the matter, or to trench upon the real vital questions at issue. To do so would have been running too great a risk of becoming compelled to do justice to Colonel Picquart and Captain Dreyfus.

There is one point which I have not yet touched upon, but which it is exceedingly necessary to bear in mind, when endeavouring to discern the potent under-currents of the Dreyfus case. It seems to be established on good authority that the French allow at the very least 600,000 francs a year† (£24,000 a year, £2,000 a month, £500 a week!) for their War Office secret service expenses, and that, before the advent of Colonel Picquart to the Intelligence Department in 1894, these "secret funds" had been considerably exceeded. Where does this huge sum vanish to yearly? What becomes of it all?

It is not unlikely that, if the accounts—which seem to be in absolutely grotesque confusion—could be carefully scrutinized, we should here light upon a vast military swindle even worse and more extensive than the Panama frauds. We know, from what occurred in the matter of Eiffel the notorious swindler, that General Davout, Duke of Auerstädt, *grand*

* *Mis en non-activité par retrait d'emploi* is the French military expression.

† Drumont estimates the yearly sum at 700,000 francs, and he certainly ought to know. See the *Libre Parole*, of October 29th, 1898.

Chancelier de l'ordre national de la Légion d'honneur, does not consider that thieving necessarily casts any slur upon the "honour" of members of the Legion.* Still it might be well to examine with some attention the accounts that record, or profess to record, the details of the "secret service" expenditure, at the French War Office, during the past few years; more especially since General de Boisdeffre became Chief of the *Etat-Major*.

Much of the taxpayers' money is probably spent in bribing such men as Rochefort and Judet to defend "the honour of the army" (which means, to conceal the rascality of a few unscrupulous chiefs) by telling shameful falsehoods: and much of it in assisting that indomitable street warrior M. Déroulède, in the organization of "patriotic manifestations" and "veritable ovations" to Chauvinist generals.

Much of it no doubt goes to the forgers of the positively innumerable "diplomatic" and "secret" documents which M. Cavaignac loves to dilate upon—and to endorse. The certainly singular fact that, by this intrepid statesman's own account, the number of these documents rose from the four or five which the Dreyfus *dossier* contained when Colonel Picquart quitted the Intelligence Department in November, 1896, to "more than a thousand"† at the time when M. Cavaignac was speaking, in July, 1898, has

* See page 34.

† That is, "more than a thousand" in considerably less than two years which greatly exceeds the rate of a document a day—and, according to M. Cavaignac's speech in the Chamber, every one of them of "undoubted authenticity." It really seems to be a race between French statesmen and generals, as to which can lie the fastest, and with the most brazen effrontery.

given birth to a painful, but not unreasonable suspicion in Paris that many of these spurious documents are forged by some of the officers of the *Etat-Major* themselves ; that they pay themselves liberally out of the "secret funds," and then insert false receipts in the accounts, in order to make it appear that the money has been paid over to genuine secret agents, who have brought documents to the War Office.

It is quite possible that it may be so. In fact, anything was possible, in the corrupt condition of the French General Staff, backed by the even more evident and alarming corruption of French Ministers and the French magistracy, in the year 1898.

LXV.

THE CROWNING INIQUITY (CONCLUDED.)

The next step taken by the gang of military conspirators was to lay violent hands upon Colonel Picquart, the officer whose consistent honesty and uprightness acted as a continual irritant, and to plunge him into the darkness and silence of solitary confinement ; a confinement so rigorous that he was not allowed to communicate even with his lawyer.

The way in which the military and the civil code in France intersect one another, and the fact that when (see article 8. of the law' of December 8th,

1897) the laws relating to secret confinement were modified, the military tribunals were not specifically mentioned, render the matter somewhat intricate. As I have already, in the course of this work, gone with great care and minuteness into a number of legal points, I will not detain my readers over the technical aspects of this one. But I think there is little doubt that those most excellent authorities, M. Trarieux and Maître Labori, were correct in their view, and that the military *parquet* altogether exceeded their legal rights, as they most certainly acted in flat defiance of all moral right, when they ruthlessly applied the mediæval system of torture by solitary confinement to an untried prisoner. (See M. Trarieux's letter to M. Brisson, published in the *Siècle* of October 10th, 1898; Maître Labori's letter written a few days previously to General Chanoine, the Minister of War; and Maître Labori's letter of October 12th to the Minister of Justice.)

The fact of the matter, of course, was that Colonel Picquart was simply seized as a victim, in order to appease the wrath of the *Etat-Major*, whose guilty secrets he had been chiefly instrumental in disclosing. It was also necessary, if possible, to discredit him beforehand, as he would be the chief witness in behalf of Captain Dreyfus, should it become necessary once more to try that officer. This was the true meaning of the infamous Zurlinden-Faure combination; an intrigue by which the President of the Republic finally forfeited the small relics of respect which decent and honourable people

were still struggling to retain for him. Certainly, as M. Zola had long ago generously pointed out, it was Félix Faure's misfortune, not his fault, that he was the son-in-law of Belluot the convict. But, when the President of a great people is unlucky enough to have a *forçat* for a father-in-law, the very least that he can do is to behave, himself personally, like a gentleman.

This was exactly what Félix Faure did *not* do,—and has never done, throughout the Dreyfus matter. It is established, beyond controversy, that, not long after the condemnation of Captain Dreyfus, Félix Faure casually remarked, “across the walnuts and the wine,” to his friend, Dr. Gibert, of Havre, that the sentence upon Dreyfus was illegal. Therefore this all important fact was perfectly well known to the President of the French Republic from the very beginning of the affair—as, indeed, how could it fail to be? Therefore, again, the person who became the principal accomplice in a known and terrible violation of the law was the very person who, from his position, was the highest representative of law: the President.

This having been the attitude of Félix Faure from the commencement, we are not surprised to find that, after the confession and suicide of Colonel Henry had caused a general revulsion of opinion in France in favour of the revision, and after M. Brisson, over-late in the day to save his honour, had made up his mind to follow the public feeling, which, on the contrary, he ought to have led—we are not surprised, I say, to learn that the Prime Minister found his most obstinate and dangerous opponent in the President.

M. Brisson's well-known weakness of character gave Félix Faure his opportunity. At the moment when Cavaignac the doubly Intrepid resigned, M. Brisson ought to have acted with instant decision and vigour. The game, so to speak, was then in his own hands. I believe that, if he had done what his best friends advised, and what he had a perfect moral and legal right to do, viz., himself taken the portfolio of War, and had then proceeded to the arrest of General Mercier, General de Boisdeffre, and the chief military culprits, while at the same time summoning such men as procureur Feuilloley and procureur général Bertrand to answer before the High Court for their disgraceful violations of the law in the matter of Du Paty de Clam, he would have had the whole of France*—to say nothing of the whole civilized world—most heartily with him, and would have found that the strongest course was also the safest and the wisest.

Unfortunately, M. Brisson took a different line. He trimmed, hedged, hesitated, tried to please all parties, and, of course, met with the fate which people who trim and hedge and hesitate at periods of acute national crisis deserve to meet with. That is to say, he pleased nobody ; his own friends and well-wishers least of all.

And he enabled Félix Faure, who is not wanting in a certain vulgar astuteness, to dupe him completely by what has been called the Zurlinden-Faure combination. For, when Brisson most unwisely

* With the exception, of course, of such men as Drumont, Déroulède, and a few other clamorous Antisemites : whose claws he could then easily have pared.

decided, in spite of all that Republican France had suffered at the hands of Billot and Cavaignac, to call in another military, or pro-military conspirator as Minister of War, Faure the watchful saw his chance, and planted a most useful creature of his own, General Zurlinden, the military Governor of Paris, on Brisson the unwatchful.

Zurlinden rehearsed his part with Félix, and afterwards performed it admirably. That is to say, he acted infamously: but to the entire satisfaction of Felix,—and Gyp, and the Duke of Orleans, and the *Etat-Major*.

He remained at the Ministry of War about ten days. During this time he carefully studied the Dreyfus *dossier*; with the help, of course, of the old *clique* who had spent years in carefully stuffing it with forgeries. Naturally, as Zurlinden worked hand in hand with them, he very speedily arrived at their conclusions. He had accepted office under completely false pretensions, for he knew perfectly well that, after the suicide of Colonel Henry, the Brisson Ministry had become a Revision Ministry, and that his predecessor, M. Cavaignac, had resigned because he was resolutely opposed to revision.

However, General Zurlinden did exactly what Félix Faure, and Gyp, and the *Etat-Major* expected of him. He came to the conclusion that Dreyfus was certainly guilty, he abruptly resigned office,* and, on resigning, he wrote a most improper letter to his colleagues, stating that he was absolutely convinced of the guilt of Captain Dreyfus, etc. But no one had asked for his opinion; which had no

*On September 17th,

more weight than that of any other person in France wholly outside the judiciary arena.

This letter of Zurlinden's was merely one more exalted military opinion, or "order," intended to influence the officers who might soon have again to sit in judgment upon Captain Dreyfus.

But Faure's Minister of War did more than this. He accepted, straight from the hands of Henry, Du Paty de Clam, and the War Office *clique* of proved forgers, an iniquitous Picquart *dossier*. This *dossier* contained either a *petit bleu* which had been expressly forged to use as evidence against Colonel Picquart, or the original *petit bleu* in a "doctored" and touched up condition. It also contained, as it appears, documents expressly forged with the view of suggesting that Colonel Picquart had been engaged in a direct treasonable conspiracy against the State.

This abominable collection of treacherous documents General Zurlinden took over and adopted, as I have said, straight from the forgers: on whose hands the ink smears were hardly dry. He then, in his capacity of Minister of War, gave orders to General Bruyère, who was acting, during General Zurlinden's absence at the War Ministry, as temporary Military Governor of Paris, to proceed against Colonel Picquart on the charge of having forged the *petit bleu*—though, at a recent Cabinet Council, M. Brisson and the other Ministers had indignantly refused to countenance any action of the kind.

General Bruyère held over the order—which could only be carried into execution by a Military Governor of Paris—until General Zurlinden, whose

work at the Ministry of War was now completed, resigned office and was most foolishly, in the teeth of repeated warnings, reinstated by M. Brisson in his former post of Governor of Paris.

Then Zurlinden threw off the mask entirely. Even before he had legally ceased to be Minister of War, and again become Governor of Paris, he took steps to carry out the order which, while Minister of War, he had practically given to *himself*.

The shameful trick, I regret to say, was absolutely successful. The order for Picquart's arrest on a charge of forgery was placed, mixed with a number of other unimportant documents, before General Chanoine, the new Minister of War. General Chanoine, who was that afternoon leaving Paris for Lille, hastily signed the order, almost without looking at it. As Clemenceau wittily observed, "This general will some day sign an order for the mobilisation of the whole French army, while imagining that he is merely signing an order for the re-painting of a tri-coloured sentry-box."

Therefore, when, on September 21st, Colonel Picquart appeared before the Correctional Tribunal, to which he had been referred, it will be remembered, after the issue of M. Fabre's *ordonnance*,* and when he was about to be set at liberty, owing to the collapse of all his accusers in consequence of the Henry incident, he was peremptorily claimed, in virtue of the Zurlinden-Faure machination, by "the military justice."

Which meant that the next day, this officer, who was the honour of the French Army, was placed in the most rigorous solitary confinement—*au secret*,

*See Section LX.

as the term is—at the very prison in which Captain Dreyfus was immured, the ill-omened and dismal *Cherche-Midi*.

But, before Colonel Picquart quitted the Court on September 21st, he spoke a few clear and resolute words. Mindful of the fate of Lemercier-Picard, the War Office spy, and of Colonel Henry, the War Office forger, Colonel Picquart rightly determined to make it perfectly evident to France and to history that, if the darkness of the *Cherche-Midi* engulfed him for ever, his disappearance would be due, not to an act of suicide, but to an act of deliberate murder.

He said :

“Je m'appose absolument à la remise.

“Je soumets ma cause à votre sagesse, mais je tiens à dire encore un mot. Je viens d'apprendre ici la réalité de l'abominable machination à laquelle je ne voulais pas croire ce matin :

“C'est cette accusation de faux au sujet du ‘petit bleu.’ Vous comprendriez davantage cette affaire, si ces débats avaient lieu,* car ils vous éclaireraient sur la bonne foi de mes accusateurs. J'irai peut-être ce soir au *Cherche-Midi*. C'est probablement la dernière fois, avant cette instruction secrète, que je puis dire un mot en public. Je veux que l'on sache, si l'on trouve dans ma cellule le lacet de Lemercier-Picard ou le rasoir d'Henry, que ce sera un assassinat, car jamais un homme comme moi ne pourra avoir un instant l'idée du suicide. J'irai le front haut devant cette accusation et avec la même sérénité que j'ai apportée toujours devant mes accusateurs.

“Voilà ce que j'avais à dire, Monsieur le président.”

* The civil proceedings had just been adjourned *sine die*.

A day or two afterwards, Colonel Schwartzkoppen, who has behaved in the most manly and upright manner throughout this deplorable story, stretched a further point in the interests of justice and humanity, and allowed some German papers* to announce officially that the *petit bleu* which Colonel Picquart was accused by the French *Etat-Major* of having forged, was a genuine document. The German papers stated that it was written and addressed to Esterhazy, not by Schwartzkoppen himself, but by an agent whom he habitually employed in such matters.

Had Colonel Picquart's accusers been honourable men this would at once have settled the matter, and he would have been set at liberty. As it was, the public proclamation of the authenticity of the *petit bleu* only rendered them more *acharnés*, more determined, at any cost, to compass the destruction of their opponent.

Abandoning for the moment the *petit bleu*, they began groping with eager hands in the darkest recesses of the War Office *armoires* and *tiroirs*. Week after week passed. Colonel Picquart remained in solitary confinement at the *Cherche-Midi*, without being allowed the sight of a single friendly face. Even communication with his lawyer was absolutely forbidden. The generals who were bent upon ruining him, men—as was now only too amply proved—utterly devoid of honour and manhood, spent the time in “arranging,” with a

* The *Kölnische Zeitung*, the *Berliner Tageblatt*, the *National-Zeitung*.

view to his complete destruction, a new *dossier* of forgeries.

On the other hand, M. Brisson, after a further desperate struggle with Félix Faure—and Gyp, the President's adviser—succeeded on September 17th, 1898, in obtaining a majority within the Cabinet in favour of the revision of the Dreyfus case.

General Zurlinden, as I have said, resigned, and went off to work further mischief as Military Governor of Paris.

M. Tillaye, the Minister of Public Works, also resigned.

M. Sarrien, the Minister of Justice, acquiesced. But he acquiesced with a very bad grace, which portended trouble hereafter.

Nevertheless, in spite of superhuman obstacles, an immense step had been gained.

For, at seven o'clock on Tuesday evening, September 27th, the Dreyfus *dossier* was actually placed in the hands of M. Manau, the procureur général, as we know,* of the Court of Cassation.

War did not follow either with Germany, or with any other State. But foreign observers found much entertainment in watching the antics of Judet, the clown-like contortions of Drumont, and the epileptic convulsions of Rochefort.

This, for instance, is how the latter expressed himself, in his blind and brutal anger at the most proper decision of the judges of the Court of Cassation that Maître Mornard, Madame Dreyfus' advocate, was to be allowed to peruse the Dreyfus *dossier*.

* See Sections XXV. and XXVI.

When the judges, in conformity with the law, decided that Zola's first trial was illegal, M. Rochefort had merely stated that, in his opinion, they ought to be burnt alive, and the skin of their stomachs used for the covering of arm-chairs. But when they ventured to allow Madame Dreyfus' counsel to examine the contents of the *dossier*, and thus to become aware of the charges against her husband, the paid (and exceedingly well paid) defender of "the honour of the army" was simply beside himself with rage.

He exclaimed, in the *Intransigent* :

"The amusement of covering living people with pitch and then setting them on fire has, since the time of Nero, become a trifle stale. A little device has occurred to me which, I hope, will satisfy even the most exasperated. It is as follows : All the members of the Court of Cassation are to be arranged in a row just like a string of Bologna sausages. A torturer previously appointed is then to cut off all their eyelids with a pair of scissors. I beg you to give me your best attention ; the thing is most interesting.

"When it has thus become absolutely impossible for them to shut their eyes, huge spiders of the most venomous kind are to be enclosed in walnut shells, placed upon the eyeballs of the judges, and carefully fastened there by means of stout cords knotted behind the head.

"The hungry spiders, who are not very nice in the choice of their food, will then eat away little by little the entire substance of the eyeballs, until at last there is nothing left in the cavities, from which no eyes any longer gaze.

“Then all these hideous blind men are to be chained to a pillory erected before the *Palais de Justice*, where the crime* was committed. On the breast of each judge an inscription to the following effect is to be fixed :

“‘This is how France punishes traitors who endeavour to sell her to the enemy.’

“And these judges are to be left for two good hours exposed to the hoots, the spitting and the execrations of the people. Only, like the lady who, when watching Damiens being torn asunder, cried out in a pitying voice, ‘*Poor horses !*’ when I think of the unfortunate creatures reduced to the necessity of feeding upon the magistrates who have betrayed to Germany the secrets of the *Dreyfus dossier*, I cannot refrain from saying to myself, ‘*Poor spiders !*’”

Poor Rochefort !

LXVI.

CHIEF ETHICAL RESULTS ARRIVED AT.

THE chief ethical results arrived at, up to the reassembling of the French Chamber on October 25th, 1898, may be best summed up in a sort of catechism. The following, without the slightest exaggeration, are the points and principles which

* The “crime” of allowing an accused man’s lawyer to see the evidence against him !

the Jesuit and military parties, represented by the Antisemites and the "nationalists," had for many months been doing their very utmost to impress upon France.

1.—What is patriotism ?

Patriotism consists (a) in assembling in turbulent mobs in the streets at every possible opportunity, under the leadership of M. Jules Guérin and M. Paul Déroulède, in order to shout "*Vive l'armée!*" and "*Mort aux Juifs!*"

(b). In idolising every wearer of red trousers, no matter whether he be a forger, a swindler, or a traitor.

(c). In accepting every word spoken by a "General" as necessarily true, even if his assertions be contradicted by obvious facts.

(d). In swallowing every ridiculous statement made by the "patriotic" and "nationalist" journals, without taking the trouble to verify a single one of them.

2.—What are the duties of a Prime Minister ?

The duties of a Prime Minister, according to M. Méline, are

(a). To reduce the art of equivocation to a science.

(b). Never to give a straight answer.

(c). To order, or permit, the use of a known forgery in the Assize Court, in order to procure the conviction of a most upright and generous French gentleman (M. Emile Zola).

(d). To allow the law to be violated by the condemnation of a French officer, on documents never shown to him.

The duties of a Prime Minister, according to M. Brisson, are

(a). To allow a known forgery to be produced in the Chamber as "absolute proof" of the guilt of an untried and probably innocent man, without saying a word.

(b). To allow the same known forgery to be placarded in every parish of France, in order to deceive the whole of the French people, without saying a word.

(c). To allow two of the most prominent representatives of French law—M. Feuilleux, the procureur of the Republic, and M. Bertrand the procureur général—to violate the law, with almost unprecedented shamelessness, with the direct intention of saving three guilty persons (Colonel du Paty de Clam, Esterhazy, the girl Pays), and of destroying a guiltless and honourable French officer (Colonel Picquart).

(d). On entering office, to assert his (M. Brisson's) firm intention of never allowing the civil power to be subjected to any encroachments (*empiètements*),* and then to suffer the civil power to be audaciously insulted and defied by the military power, day after day.

3.—What are the duties of the French General Staff?

The duties of the French General Staff are

(a). To convict a French Staff Officer (Captain Dreyfus) on evidence deliberately falsified, and not laid before the accused man or his counsel.

(b). To maintain this unjust and illegal convic-

*See page 295.

tion for years, in the face of the most convincing evidence, by ceaseless lying, by heavily bribing unscrupulous and venal journalists, by calumniating every honest opponent, and by stuffing the *dossier* with "more than a thousand" documents, mostly forgeries, all accumulated in less than two years, and all accumulated long *after* the trial of Captain Dreyfus.

4.—What are the duties of French generals?

The duties of French generals are

(a). To support the French General Staff, through thick and thin, in the conscientious and steady performance of the above "duties."

(b). To threaten that, if any inquiry be made likely to throw light upon the malpractices of the General Staff, "war will certainly follow, and the sons of French citizens will be led to butchery."

(c). To produce as evidence in the Assize Courts, and solemnly to guarantee, known forgeries.

(d). To condemn and imprison honest officers without a trial, and to acquit traitors—also without a trial.

5.—What are the duties of French judges?

The duties of French judges are

(a). To support the General Staff, and the military generally, in the strict performance of the "duties" I have mentioned.

(b). To stretch the law to the utmost possible extent, in favour of the guilty, and to the detriment of the innocent.

(c). When the law cannot be stretched any further, deliberately to break it.

(d). Complacently to listen to witnesses who are

obviously perjuring themselves, and to silence witnesses who are as obviously telling the truth.

6.—What are the duties of the Grand Chancellor of the National Order of the Legion of Honour?

The duties of the Grand Chancellor of the National Order of the Legion of Honour are twofold :

(a). To strip the Cross of the Legion of Honour from the breasts of some of the most noble and patriotic men in France.

(b). To leave the Cross of the Legion of Honour upon the breasts of acknowledged forgers and traitors.

7.—What are the duties of French “patriotic” journalists?

The duties of French “patriotic” journalists are

(a). To decry and injure their opponents by every conceivable calumny and slander.

(b). When charged by their opponents with libel, to wriggle out of the matter (the magistrates assisting) by ignobly invoking “the professional secret.”

(c). To stir up by every possible means religious and party strife.

(d). To promote in every possible way the avowed ends of the enemies of the Republic.

8.—What is the duty of the French Catholic Church?

To watch the greatest possible wrongs inflicted upon perfectly guiltless people, with a smile, and in absolute silence.

9.—What is the duty of French deputies?

To placard forgeries at the taxpayers’ expense,*

* Two or three deputies, however, were honourable enough (to the shame of the remainder), to come forward publicly, and offer personally to pay their share of the misspent money.

and to be led by the nose by a set of men who, having committed the most detestable crimes, have the insolence to assert that they committed these crimes "for the sake of the honour of the army."

10.—What is the duty of French Ministers of Justice?

The duty of French Ministers of Justice, according to M. Milliard and M. Sarrien, is to suffer a French officer and citizen to be condemned illegally by French officers and a French general (Mercier), and to abstain from taking action with a view to the simple annulling of the sentence, through abject fear of being thereby compelled to take subsequent action against the French general who, in company with the seven officers of the Court Martial, had grossly violated the law.

11.—What are the duties of Pretenders to the throne?

To take advantage of the disturbed and anxious condition of the French people, in order to promote their own selfish personal ends, and, by silly manifestoes, to endeavour to win over the army, and to pour oil upon the fire.

12.—What is the duty of a French Minister of War?

The duty of a French Minister of War, according to General Billot, is

(a). Entirely to disregard the truth.

(b). If a French officer discovers a traitor, to endeavour to get the honest discoverer of treason murdered in Africa, and to defend by every possible means the discovered traitor.

(c). To endeavour to influence the mind of

another French general (General de Pellieux), in favour of the traitor, by showing him a known forgery.

(d). To allow a French citizen (Zola), to be convicted in the Assize Court of the Seine, on the strength of this known forgery.

The duty of a French Minister of War, according to M. Cavaignac, is

(a). To produce the same known forgery in the Chamber, with a view to deceiving the deputies.

(b). To placard the same known forgery all over France, with a view to deceiving the whole nation.

(c). To propose to his colleagues at a Cabinet Council, the summary arrest and imprisonment of some fifteen "*Dreyfusards*," among them some of the most honourable and prominent men in France.

(d). To commit the crime of arresting and imprisoning without a trial, one of the most honourable officers in the French army (Colonel Picquart)—in order to punish him for respectfully offering to prove that the known forgery was a forgery.

(e). To conspire with the procureur of the Republic and the procureur général, in order to further the escape from justice of a proved forger, who happened to be his, Cavaignac's, cousin.

(f). To struggle, with almost frantic eagerness, to retain an innocent man in penal servitude, and to save from punishment the proved actual traitor.

The duty of a French Minister of War, according to General Zurlinden, is

(a). To defy and trick the Government of which he forms a part.

(b). To obtain the "secret confinement" of an honourable officer, by the most underhand means.

(c). To make himself an accomplice of the rascals who were engaged in deliberately forging "proofs" against this officer, Colonel Picquart.

(d). To conspire against the Republic.

13.—What is the duty of a French Minister for Foreign Affairs?

The duty of a French Minister for Foreign Affairs, according to M. Hanotaux, is first to promise "on his word of honour" that a certain forgery, which has just been disclosed to him by the Italian Ambassador, "shall never be made use of"; and then, without a word, to permit the identical forgery to be "made use of" on three separate occasions.—

(a). At the first trial of Esterhazy.

(b). At the first trial of Zola.

(c). In the French Chamber on July 7th, 1898.

14.—What are the duties of the Chief of the French Intelligence Department?

The duties of the Chief of the French Intelligence Department, according to Colonel Henry, are

(a). To support groundless charges against an illegally convicted brother officer, by forging "patriotic" documents, *two years after* the condemnation of that officer.

(b). To obey his superior officers, even when they order him to commit most heinous crimes.

(c.) To insult an officer he knows to be honourable and innocent (Colonel Picquart), and to endeavour to obtain the conviction of the latter for forgeries *he himself has fabricated, or assisted in fabricating.*

(d). . To save the "honour" of his accomplices in high quarters, and to procure the further punishment of the guiltless, by cutting his own throat in prison.

15.—What are the duties of an officer of the French General Staff—especially if he happen to be a Marquis, a member of the Legion of Honour, and the cousin of the Minister of War.

The duties of an officer of the French General Staff—especially if he happen to be a Marquis, a member of the Legion of Honour, and the cousin of the Minister of War—are

(a). To procure the condemnation and degradation of a brother officer against whom no real proof exists, by the most irregular and unwarrantable methods.

(b). To act for many months—or, more probably, for several years—as the bosom friend and accomplice of an officer who is proved to have been a spy in the pay of Germany.

(c). To hand to this officer, with a view to procuring his acquittal, a most important State document (*le document libérateur*), improperly removed from the War Office.

(d). To invent, with a view to covering this disgraceful transaction, the preposterous narrative of the "veiled lady."

(e). To conspire with a known traitor to France against an honourable brother officer (Colonel Picquart).

(f). To endeavour, in concert with the same known traitor, to effect the social and professional ruin of the aforesaid honourable officer, by despatch-

ing a forged telegram (the *Blanche* telegram), and actively assisting at the despatch of a forged letter and another forged telegram (the *Speranza* letter and the *Speranza* telegram).

16.—What is the duty of the President of the French Republic ?

To know that all these things are so, to make the most determined personal efforts to prevent the wrongs being righted, and to pile up further wrong upon wrong ; to follow, at a most grave national crisis, the advice of an intriguing and insincere woman (Gyp, the Comtesse de Martel) ; and to esteem it a greater honour to invite glittering Generals to dinners and hunting parties, than to defend the Republic and to do justice in France.

FINIS.

